

The Origins of Urban Land Use Planning in Ontario, 1900 –1946

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University of Toronto

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A Thesis submitted in conformity with the requirements
for the Degree of Doctor of Philosophy in the
Department of Urban and Regional Planning
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CONTENTS

1. Introduction: The State and Urban Development . . .	1
<u>PART I: ORIGINS OF THE TOWN PLANNING MOVEMENT IN CANADA</u>	
2. Public Health and the Conservation of Human Resources	12
2.1 Early Public Health Legislation	14
2.2 Conservation of Human Resources Through Town Planning	26
3. Housing and the Suburban Solution	50
3.1 Rapid Immigration and Urban Growth	53
3.2 Environmental Determination	62
3.3 Thomas Adams and the Town Planning Branch	76
<u>PART II: ONTARIO'S EARLY PLANNING LEGISLATION</u>	
4. Adoption of the First Land Use Planning Legislation	90
4.1 Ontario's 1912 City and Suburbs Plans Act	91
4.2 The 1917 Planning and Development Act . .	104
4.3 Housing Activities During the War	127
5. The Politics of Planning and Zoning in the 1920's .	153
5.1 Ontario's Town Planning Movement in the Early 1920's	154
5.2 The Decline and Failure of the Planning Movement	175
5.3 Zoning Activity in Ontario	183
6. The Depression Decade: Housing and National Planning	206
6.1 Housing and Slum Clearance Programs During the 1930's	207
6.2 Proposals for National Economic Planning	226
6.3 Proposals for Metropolitan-Wide Planning	234

PART III: ONTARIO'S 1946 PLANNING ACT

7. Wartime Proposals for Post-War Planning	250
8. Proposed Planning Legislation in Ontario, 1944-1946	271
8.1 The Department of Planning and Development Act, 1944	272
8.2 The Town Planning and Housing Authority Act, 1944	277
8.3 Toronto's Request for Planning Legislation, 1944	282
8.4 The Community Planning and Housing Authority Act, 1945	286
8.5 The Toronto Planning Act, 1945	287
8.6 The Town Planning Act and the Early Dissolution of the Legislature	292
9. The 1946 Planning Act	302
9.1 The Drew Government Defines its Approach to Planning and Development	303
9.2 The Need for New Planning Legislation	313
9.3 Drafting the 1946 Planning and Zoning Legislation	323
9.4 Discussion in the Legislature	338
10. CONCLUSION	353
Bibliography	369

LIST OF TABLES

Table	Page
1 Evolution of Public Health Reform in Ontario, 1832-1924	19
2 Typhoid Fever, Mortality Statistics of Canadian Cities, 1900-1909	38
3 Urban and Rurban Population, Ontario, 1871-1941 . .	56
4 Number of Dwellings Units Completed, Canada, 1910-1919	129
5 Wholesale Price Index, Canada, 1914-1925	142
6 Housing Completions, City of Toronto, 1905-1934 . .	158
7 Town Planning Conferences Held in Ontario, 1919-1931	176
8 Amendments to the 1918 Town Planning and Development Act	182
9 Construction Expenditure and Unemployment in Construction Trades, Canada, 1926-1940	211
10 Number of Dwellings Assisted Under the 1935 DHA and 1938 NHA	216
11 Operations Under the Home Improvement Loans Guarantee Act of 1937, 1936-1940	220
12 Population Growth in Metropolitan Toronto, 1915-1930	238
13 Federal Party Standings in Gallup Polls, 1942-1943	261
14 Planning Legislation Introduced in the Ontario Legislature, 1944-1946	272

LIST OF ILLUSTRATIONS

Figure	Page
1 Immigrant Arrivals, Canada, 1870-1946	54
2 Index of Urban Building Activity, Canada, 1871-1946	57
3 Site Plan of Lindenlea, Ottawa	137
4 Index of Urban Building Activity, Canada, 1918-1933	155
5 Value of Building Permits, 1918-1933	155
6 Subdivision Plans Registered, Toronto and York, 1881-1946	157
7 Proposed Low-Cost Public Housing Project, Winnipeg, 1934	234

ABBREVIATIONS

Organizations

CC	Commission of Conservation
CCF	Co-operative Commonwealth Federation
IPTP	Institute of Professional Town Planners
LSR	League for Social Reconstruction
NCC	National Construction Council
NHPA	National Housing and Planning Association
ORMB	Ontario Railroad and Municipal Board
OMB	Ontario Municipal Board
PAC	Public Archives of Canada
PAO	Public Archives of Ontario
TA	Toronto Archives
TPIC	Town Planning Institute of Canada

Publications

CC,AR	Commission of Conservation, Annual Report
CE	Canadian Engineer
CJEPS	Canadian Journal of Economics and Political Science
CL	Conservation of Life
CMJ	Canadian Municipal Journal
CS	Canadian Surveyor
ECR	Engineering and Contract Record
IC	Industrial Canada

JAIP Journal of the American Institute of Planners
JRAIC Journal of the Royal Architectural Institute
 of Canada
JTPIC Journal of the Town Planning Institute of Canada
MW Municipal World
PHJ Public Health Journal
PNCCP Proceedings of the National Conference on
 City Planning
SW Social Welfare
TPCL Town Planning and Conservation of Life

Chapter 1

Introduction: The State and Urban Development

The current system of land use planning controls in Canada began to emerge in the early decades of this century. Regulation of urban development in the nineteenth century was largely limited to rudimentary municipal building codes and nuisance, fire and public health bylaws. These pertained almost solely to the construction and maintenance of individual buildings. There were few public regulations aimed at coordinating the general pattern of land development. The direct role of the state in land use planning was minimal. Private land owners could largely build what they wanted where they wanted.

This began to change during the early decades of the twentieth century when the subdivision of land and the location of certain types of land uses were first regulated. Out of these early regulations a much broader public role in planning urban development began to emerge, eventually developing into today's complex system of land use planning controls. The public role in land use planning exists and continues to expand because of the recognition, starting in the nineteenth century, that the private land market could not

be left to itself to efficiently and rationally allocate land uses. Nor could it be left to itself to produce healthy and humane cities. A variety of private measures, such as restrictive covenants on property deeds and philanthropic housing and public health efforts, achieved, at best, limited success. Because the state was the only agency capable of introducing and enforcing collective "rules of the game" on the private land development process some form of public intervention became unavoidable.

Land use planning has been and remains controversial because these rules of the game affect property rights. Land use planning measures divide control over the use of land between the private owner and a public planning agency. As a consequence, planning creates collective property rights that are held by government. To the extent that collective property rights are created, private property rights are diminished.

In spite of this controversy, the role of the state in urban land use planning has continually grown; the question is why? Why has the state taken on new land use planning functions? What accounts for the nature, timing and content of these new functions? Why is there a huge gap between: a) what planners and advocates of planning recommend; b) what planning measures the government enacts into legislation; and c) what aspects of the enacted legislation are implemented?

Professional planners have long recognized that land use planning has been and remains a largely ad hoc, piecemeal and remedial process, despite a long history of attempts at being "rational and comprehensive." Why is this the case? Must it always be this way? Are the social, political and economic dynamics which led to these outcomes immutable, or can we in any way begin to predict, based on past experience, the extent to which certain policy recommendations are likely to be adopted and implemented? To address questions such as these we can only rely on experience. We need a method of systematizing past experience to assist us in present and future planning policy decisions. It is reasonable, therefore, to see historical research as a first step in addressing these questions. By analyzing past planning activity we can better identify and understand the specific societal dynamics shaping planning.

This is no easy task. It is difficult to gain many insights from general urban planning history. Different social, political and economic institutions in the US and Canada, or even in the individual provinces within Canada, are likely to produce very different outcomes. Each set of societal institutions creates often unique conditions in which planning policy is shaped. The best way to begin to understand in some detail the dynamics shaping the land use planning function of the state is to examine the evolution of

planning in a number of jurisdictions and compare the outcomes. Unfortunately, very little of the planning history literature has focused on the evolution of the planning function of government. Planning history has tended to focus on specific events, periods or personalities, and ideas. Comparative research on the evolution of planning in different jurisdictions is, therefore, premature at this time. In Canada, where urban affairs falls within the jurisdiction of the provinces, the specific evolution and content of the land use planning system differs from province to province. Until studies of at least some of the provinces are completed, it will be especially difficult to write a very useful history of land use planning in Canada.

For these reasons, this study provides the first in depth historical analysis of planning in a single province: Ontario. It attempts to show how and why the planning function of government in Ontario evolved as it did. It covers such questions as: why the Ontario government became involved in regulating urban development; what aspects it regulated; why it chose the approaches that it did; and what accounts for the timing of new interventions in urban development.

The foundations of Ontario's current land use planning system were established in the first four and a half decades of this century, yet our knowledge of this history is at best inadequate. As the province became increasingly urba-

nized during the early twentieth century, the problems of uncoordinated urban development focused public attention on the ways in which land was being used. In Ontario's cities, business elites, middle class professionals and others engaged in land development, were beginning to advocate an ever greater role for the state in regulating urban development. Even in a society such as Ontario's in which private property rights and the ideology of laissez faire are cherished ideals, public health, social, physical and economic problems of unrestricted urban development were convincing proof that something had to be done. While most people agreed that there were problems needing solutions, specific definition of these problems and their solutions were, as they still are, matters of endless political debate.

Part of the objective of this study, therefore, is to examine the conditions which gave rise to the specific definitions of, and solutions to, urban land use problems prior to 1946. It was the planning and zoning legislation adopted in 1946 which finally institutionalized a government planning function. In this respect, it is a study of public policy in historical perspective: an attempt to better understand our current land use planning system and the politics involved in defining current urban problems and solutions. Public intervention in the urban development process does not arise out of any impersonal, mechanistic necessity nor out of abstract

ideas. The advocacy of an idea does not guarantee that it will be acted upon. Instead, land use planning grew out of a gradual process involving specific people and groups, their ideas and institutions interacting and struggling with one another. The current system of land use planning controls is simply the sum total of the outcomes of this historical process of change. The hope is that by better understanding the specific dynamics of this process of change we can better understand and better influence its ongoing evolution.

It is prudent to specify what this study is not. First, it is not an attempt to use history as a means of manufacturing a general theory or even a series of theories of planning. This is not how theories are "manufactured" nor is it the function of historical interpretation. For, as E.P. Thompson points out, historical interpretation

discloses not how history must have eventuated but why it eventuated in this way and not in other ways; that [historical] process is not arbitrary but has its own regularity and rationality; that certain kinds of events (political, economic, cultural) have been related, not in any way one likes, but in particular ways and within determinate fields of possibility; that certain social formations are -- not governed by "law" nor are they the "effects" of a static structural theorem -- but are characterised by determinate relations and by a particular logic of process. [1]

In a study of urban land use planning we are confronted with a number of events. At any point in time different urban problems are defined and different solutions proposed. The most

basic fact, however, is that the state gradually took on a new function. The history of urban planning is the history of changes in the level and type of state intervention in urban development. This research is a study of state intervention in urban development, an attempt to identify the "determinate relations" and the "particular logic" of the process by which the planning function of the modern state has evolved.

Second, this is not a study of urban development in Ontario; it does not examine the way cities in general, or any city in particular, developed. Existing studies of urban development have been relied upon for the necessary context. Because individual municipalities, under the British North America Act, cannot undertake any planning activities without enabling legislation from the province, this study concentrates on the Ontario government's adoption of such legislation. Specific cities are mentioned but only as a means of indicating the extent to which they used the provincial enabling legislation. No attempt has been made to even summarize the planning history of individual cities.

Finally, it is important to keep in mind the three basic aspects of planning: planning as a reform movement; planning as a profession; and planning as a government function. This is primarily a study of the latter. All three aspects are closely interrelated but all three also have their own distinctive history. The planning movement and the

planning profession are both major elements of this study but no attempt has been made to provide a thorough history of either. The focus is, once again, on planning as a government function.

This study is divided into three parts. Part I (Chapters 2 and 3) focuses on the origins of the town planning movement in Canada and provides the general context out of which the Ontario planning movement and the first Ontario planning legislation emerged. Nineteenth century public health legislation is briefly reviewed in Chapter 2 because public health was one of the first urban fields in which the state actively intervened and because the Canadian planning movement emerged during the 1910's from the public health concerns of the Commission of Conservation. Planning was viewed at the time primarily as a means of improving general housing and public health conditions. Chapter 3 examines why the Canadian planning movement focused on housing and why suburbs were seen as the solution to the housing problem. Due to this focus on housing, the Commission of Conservation established a Town Planning Branch with the prominent British planner Thomas Adams as its director. During his stay in Canada, from 1914 to 1923, Adams played a major role in organizing the Canadian planning movement and in lobbying the individual provinces for the adoption of his model town planning act. In Ontario, however, Adams had only limited

success.

Part II reviews Ontario's early planning legislation. Specifically, it covers the events leading to the planning and housing legislation adopted in the 1910's (Chapter 4), the failure to obtain improved planning and zoning legislation in the 1920's (Chapter 5) and the impact of the 1930's depression on planning and housing activities in both Ontario and Canada in general (Chapter 6). During the peak of the pre-World War I urban real estate boom, Ontario adopted subdivision control legislation: the 1912 City and Suburbs Plans Act. This was replaced in 1917 by the Planning and Development Act which remained Ontario's only planning legislation until 1946. The 1917 planning act was not the one proposed by Adams nor was it received favourably by the planning movement. These three chapters in Part II detail the politics of the planning issue in Ontario from the 1910's to the 1930's.

Part III (Chapters 7, 8 and 9) examines the events leading to the adoption of the 1946 Planning Act. During the 1940's there was, for the first time, a fundamental political debate on the role of planning in the province. Chapter 7 outlines the rapid rise in support for the CCF and how it managed to become the official opposition after the 1943 provincial election. As a result of this dramatically changed political climate, a total of seven planning bills were introduced in the Ontario Legislature during the 1944 and 1945

sessions. The debate over these bills is discussed in Chapter 8. Because of the strong support for the more radical CCF, the Progressive-Conservative government of Premier George Drew was forced to promise a very progressive program of planning and housing reform in both the 1943 and 1945 provincial election campaigns. When Drew captured enough seats in 1945 to form a majority government, he was free to pursue more traditional conservative approaches to planning and housing. Chapter 9, then, examines the policy making process which followed the election, leading to the adoption of the 1946 Planning Act. With their majority in the Legislature and with fairly stable social and economic conditions following the war, the Tory government broke most of its planning and housing promises. In the absence of a strong political left, consideration of broader social and economic planning or of a major role for the state in housing were dropped. The 1946 Planning Act focused solely on physical planning and primarily on the planning of municipal provision of infrastructure so as to better promote and accommodate economic development.

For Ontario's planning history, therefore, the 1946 Planning Act represents both a culmination and a beginning. It brings to an end the very gradual and ad hoc adoption of land use planning measures which began around the turn of the century. And it begins the process of implementing a more comprehensive system of land use planning and zoning controls.

The 1946 Planning Act enabled municipalities to create a fairly broad land use planning function, consisting of a master plan, zoning bylaws and subdivision controls, administered by a planning board. The type of legislation the planning movement advocated starting in the 1910's was finally adopted. The process of municipal implementation of this planning legislation was just beginning.

1. E.P. Thompson, The Poverty of Theory and Other Essays, N.Y.: Monthly Review Press, 1978, p. 50.

PART I

ORIGINS OF THE TOWN PLANNING MOVEMENT IN CANADA

Chapter 2

Public Health and the Conservation of Human Resources

Modern urban planning has one of its principal origins in nineteenth century public health legislation. Poor sanitary conditions, a lack of basic water and sewer services, periodic outbreaks of contagious diseases and high mortality rates all made public health an unavoidable issue. Laissez faire capitalism was not capable of producing healthy urban conditions. Health standards had to be improved if cities were to survive very long. This meant that the role public authorities played in molding the urban environment had to expand.

The patterns of advocacy and of resistance to state intervention in urban public health were similar to those characterizing the evolution of planning several decades later. A clear and immediate problem had to arise and widespread agreement on a solution had to develop before the state would intervene. It was not enough for medical authorities, in the case of public health, or urban affairs specialists, in the case of planning, to agree in the abstract that some new form of public regulation was necessary to alleviate a potential or foreseeable problem.

One major difference between the public health and planning movements is that, in the case of public health, the principle of state intervention had first to be established. The issue was: how intensively and extensively ought the state interfere with the individual rights and the property rights of the urban population? In Ontario it took over half a century for this question to be answered with respect to public health. It was not until late in the nineteenth century that the principle was established that the state indeed had not only the right but the duty to intervene in order to prevent or eliminate conditions detrimental to public health.

As the public health movement achieved some degree of success in regulating the more obvious health problems, they increasingly turned their attention to finding ways of preventing the causes of those urban conditions. The close relationship between health problems and badly constructed, overcrowded housing led the public health movement to begin advocating land use planning measures during the first decade of this century.

The Canadian planning movement and the first planning legislation emerged from health concerns. The Commission of Conservation extended its mandate over conserving natural resources to conserving the human resources of the nation -- its population, especially the urban population. Public health, housing and planning reforms would, it was argued,

lead to a more stable, contented and healthy population. During the period when Canada was being rapidly transformed into an urbanized and industrialized nation, when unions and radical parties were causing social unrest, when a large, stable and healthy industrial workforce was needed, a large segment of the professional middle class and the industrial and financial elite of the country turned towards planning as a means of coping with a variety of physical and social problems in the city. During the first two decades of this century, the public health, housing and town planning movements all overlapped, in objectives and even in personnel. Soon after that they each went their own separate and specialized way. Despite this split, it is important to understand the role public health played in defining the problem which the planning movement was to address.

2.1 Early Public Health Legislation

The early history of public health legislation is largely the history of inadequate responses to periodic cholera outbreaks until basic public health measures were institutionalized and major cholera epidemics disappeared. This pattern is the same in Britain and the United States. [1] In spite of the serious health problems of the nineteenth century city, the principle of laissez faire and the opposition of special interests who would be inconvenienced by

health regulations, prevented effective progress from being made until late in the century.

Ontario's public health legislation began in 1832 when a cholera epidemic broke out. [2] Until then there had been no public health activity carried out by government. As cholera spread up the St. Lawrence River in the summer of 1832, the Lieutenant Governor of Upper Canada was forced to take emergency measures under his executive powers because of the absence of any legislative authority. He called on magistrates in local districts to establish boards of health and placed the sum of £500 at their disposal "to defray the expense of the disbursements that may become necessary for providing Hospitals and Medical attendance, and for making the arrangements that the Medical Board of each district...may suggest." [3] Because Upper Canada lacked the facilities to deal with the epidemic, many people died, especially in Toronto. Conditions in Toronto, for example, were described in an 1834 pamphlet on the cholera epidemic as follows:

The genius of filth, if such there be, reigned predominant both in public and private. Crowded and loathsome hovels, cellars with putrid and stagnant water, dunghills with animal and vegetable garbage reeking in the scorching rays of the summer's sun, these deadly agents everywhere spread their contaminating influence. [4]

As the result of the epidemic, Ontario's first public health act was adopted in 1833, "An act to establish boards of health to guard against the introduction of malignant, contagious and

infectious diseases in this province and for the formation of local boards", modelled on the British public health act of 1831. [5] However, the board of health was to be temporary. It only existed while the crisis existed. Even the act itself was temporary. It had to be renewed each year by the legislature. The act did grant public health officials authority to inspect premises and order them to be cleaned and all health dangers removed.

The act was enlarged two years later, after another cholera outbreak in 1834, giving local boards the power to move people from unsuitable quarters to "sheds or tents or other good shelter, in some more salubrious situation." [6]

It took successive major epidemics before public health laws were strengthened. In 1847 it was a typhus epidemic that led to new legislation which applied the public health act to the entire province, not just to the southern portion. And in 1849 it was another cholera outbreak that led to adoption of a revised and expanded public health act establishing a central board of health and local boards -- which were still temporary, existing only during a serious threat of "any formidable epidemic, endemic or contagious disease." [7] The 1849 public health act was not used again until the 1854 cholera outbreak, when the necessary proclamation was issued establishing a temporary central Board of Health and declaring the provisions of the act in force for a period of six

months. [8]

As municipal institutions evolved in the province, only minimal attention was paid to the municipal health role. Robert Baldwin's Municipal Corporations Act for Upper Canada adopted in 1849 allowed incorporated villages, towns and cities to adopt bylaws for the general health of the community "and against the spreading of the contagious or infectious diseases," for the interment of the dead, the provision of public cemetaries, and the recording of mortality statistics.

[9] All of this was still a long way from imposition of major preventative measures.

Although the Municipal Corporations Act made it possible for urban municipalities to take such public health measures as they saw fit, the Public Health Act continued to give support to the view that public health was a matter of concern only when disease of epidemic proportions had struck or was threatening. This continued to be the provincial approach through the remainder of the Union era. [10]

This meant that, even though the provincial government recognized that there was a role for the state to play in the field of public health, even this obvious role should be minimized. The state would step in only when conditions deteriorated to very serious levels.

In 1867 the British North America Act gave jurisdiction over public health matters to the provinces. [11] In 1873 Ontario adopted its first post-confederation public health act, a consolidation of earlier measures and not very

extensive. Finally, a Provincial Board of Health was established in 1872 and members of this professional Board drafted a new public health act modelled on the British 1875 Act. The Provincial Legislature adopted his new act in 1884. Of the new Act, and its impact, Dr. Peter Bryce, the Board's first Secretary, noted that

the whole winter was spent by the committees on legislation with Dr. William Oldright, then Professor of Hygiene, being chairman of the Board and most active in preparing the legislation. The Consolidated Public Health Act of England and Wales of 1875 was our model, and it is this which has become the basis of all legislation in Canada. The [Ontario] Act was passed and . . . there had been established within six months 400 Local Boards, or two-thirds of the total municipalities had Boards of Health. Of the 203 cities, towns and villages, 180 had Boards, and there were 107 medical officers appointed and 136 sanitary inspectors. [12]

As a result of the appointment of the Provincial Public Health Board and the adoption of the 1884 Act, public health reform was well on its way to being effectively implemented. The appointment of local boards of health was made mandatory and the network of public health boards and officials did produce tangible results. In 1885, when smallpox broke out in Quebec, careful examination of everyone entering Ontario kept the number of deaths in Ontario to 21 that year, whereas some 3,000 people died in Montreal and many more throughout the province of Quebec. [13] By 1886 there were enough public health activists and officials to sponsor a convention of the American Public Health Association in

TABLE 1

Evolution of Public Health Reform in Ontario, 1832-1924

1832	The first outbreak of cholera in Upper and Lower Canada: legislation is enacted similar to British legislation of 1831 which provides for the temporary establishment of a central board of health and local boards during the emergency.
1847	Typhus and cholera break out in Upper Canada and a temporary central board of health is again established.
1849	A Public Health Act is adopted by the Parliament of the United Canadas providing authority for establishment of a central and local boards of health whenever there was a serious threat of an outbreak of any contagious disease.
1854	Cholera again breaks out in Canada and temporary boards of health are established.
1865	A central board of health is again established in reaction to the outbreak of cholera in Europe, though it never reached Canada. This was the last order issued under the 1849 Public Health Act.
1867	Confederation: BNA Act contains provision for public health matters, giving jurisdiction to the provincial level of government.
1873	Ontario adopts its first Public Health Act, establishing a Provincial Public Health Board.
1878	A severe outbreak of yellow fever in the U.S. leads to the appointment by the Ontario Government of a select committee on the "Subject of Sanitary Measures for Maintaining and Promoting Public Health".
1882	A permanent Provincial Board of Health is established to "take cognizance of the interests of health and life among the people of the province."
1883	A Committee on Sewage and Water Supply is established by the Provincial Board of Health.
1884	A new Public Health Act is adopted, based on the British consolidated Public Health Act of 1875.
1895	Legislation is adopted requiring all municipal plans for waterworks and sewerage systems be approved by the Provincial Board of Health.
1910	Canadian Public Health Association is established.
	A Dominion Public Health Conference is held in Ottawa.
1912	Ontario revises and consolidates its Public Health Act.
1924	Ontario establishes a Department of Health.

Toronto and to establish the Association of Executive Officers of Health in Ontario. The Association played a major role in advancing proposals for new legislation and regulations. [14]

New initiatives in public health, however, still depended upon the occurrence of some serious and obvious problem -- something so major that it could not be ignored. Dr. Peter Bryce, Ontario's Medical Officer of Health, recognized this when he wrote a brief history of public health legislation in 1911:

the evolution of public health in Canada, as in other countries, had in the pre-scientific period of modern medicine, to depend upon the occurrence of some epidemic, during which spasmodic, and often temporary, progress was made, whether in legislation or in the enforcement of health regulations. [15]

Major breakthroughs in medical research came between 1877 and 1897. Disease agents were discovered for: typhoid, leprosy and malaria in 1880; tuberculosis in 1882; cholera in 1883; diphtheria and tetanus in 1884; plague and botulism in 1894 and dysentery in 1898. [16] Until these discoveries were made there were no clear scientific grounds to support a proposed solution. Though there was agreement that serious health problems existed and that something should be done about them, the definition of the problem and its cure remained a purely political matter until these scientific breakthroughs were made. Those with a stake in the issue, especially a financial stake, chose the definition of the problem which was most

compatible with their interests.

Throughout most of the nineteenth century there were three distinct theoretical positions concerning the origin and spread of infectious diseases. First, there was the miasmatic theory that outbreaks of infectious diseases were caused by the state of the atmosphere, i.e., the quality of city air. Poor sanitary conditions produced a local atmosphere conducive to such diseases. Many of the sanitary reformers, including Chadwick, held this theory which led them to advocate sanitary improvements. [17] A second view held that there were specific contagia which were the sole cause of infections and epidemics. This was the strict contagionist position and the one public health workers today are most familiar with because of the impact of bacteriological discoveries. The third view was a compromise between the miasmatic and contagionist theories. It was a limited or contingent contagionist view, holding that even though infectious diseases were caused by contagia, these contagia only spread in conjunction with other elements, such as the state of the atmosphere, condition of the soil, or social factors. [18]

Due to the lack of any clear scientific proof until late in the century, the "scientific standpoint" most frequently related to nonscientific, i.e. political, economic and social, factors. Because of the economic implications of the contagionist position there was a strong anti-contagionist

movement. If diseases were contagious, quarantines were called for and during major outbreaks this was disastrous for business. Economic considerations led to the miasmatic view being widely held.

For those who believed in the theory of a specific contagion the proper thing to do was to carry out a strict quarantine. More widely held at this time, however, was the miasmatic theory. According to this theory, communicable diseases arose from effluvia produced by decaying organic matter. When these emanations were brought forth under certain meteorological conditions, epidemics developed. From this theoretical position, it followed ineluctably that what was needed was to clean up the community, not to quarantine people and goods. Furthermore, this view was more congenial to commercial nations and communities for whom any hindrance to the free transit of goods and people was highly disadvantageous. Nor should it be forgotten that the practice of quarantine was much more rigid and severe than it is today when the conditions of disease transmission are better understood. As a result, the origin, transmission, and control of communicable diseases became burning political and public health issues in the nineteenth century. [19]

Thus, the ascendancy of anti-contagionism during this period is best understood in light of the fact that it was in keeping with laissez faire liberalism. Because a quarantine meant financial loss and intolerable shackles to merchants and industrialists, "an attack against contagionism was a blow against bureaucracy and for freedom . . ." [20]

In addition to the difficulty of defining the problem, there were engineering and technical difficulties. These were not adequately improved until after the turn of the century. Just how primitive and dangerous the water supply

system was in many cities can be judged from the following comment written in the Canadian Engineer in 1900. The author was obliged to point out even the most obvious facts concerning existing conditions in Toronto:

The insuction of polluted water and foul gases into water supply mains of towns and the illnesses caused therefore, does not receive the attention it should In summary upon the subject we may say that it is absolutely necessary to supply the public with water that is free from exrement and urine, also, any bodies or material that are in a state of putrefaction. [21]

The fact that such basic preventative measures were not yet commonplace indicates how necessary it was for public health officials to spread even these simple ideas and to attempt to get municipal government action. Even after the principle of government intervention in public health matters was established, actual implementation of reforms proceeded rather slowly, due largely to poor engineering techniques.

A good example of this was Toronto's water supply. In 1909 consultants hired by the City of Toronto proposed to deal with the sewage of 300,000 people by filtering out solids and dumping this exrement into Ashbridges Bay. The remaining "liquor", about 30 million gallons per day containing at least 40 per cent of the solids and alive with bacteria, was to be dumped, untreated, into the lake current that flows towards the City's water intake pipe. [22] This was a recommendation by two prominent sanitary engineers, one from Birmingham and

one from New York City, who were hired as consultants to report on the problem. After some controversy, and after another very serious outbreak of typhoid fever in 1910 caused by the City's water supply, the City began to chlorinate the water supply and extended the sewage discharge pipe further out into the lake, away from the water intake pipe. Since sewage was no longer being dumped in the Bay near the intake pipe, typhoid fever immediately declined. The death rate from typhoid fever per 100,000 residents in Toronto fell from 46 in 1910 to two in 1915. [23] But general living conditions were still very bad, especially for the poor and the working class. The overall death rate did not decline very much in the City of Toronto between 1900 and 1920. As the city increased in size there were always new and compounded problems. [24]

Aside from inadequate engineering and medical knowledge, there remained the institutionalized resistance to state intervention in the absence of clear and immediate problems. The physical condition of cities provided incentives for public health measures while the dominance of laissez faire capitalism provided tremendous constraints. Public health reformers never ceased being amazed at how relatively obvious health measures were only partially adopted, usually after great delay, if they were adopted at all. Matters which had the support of scientific evidence were more easily adopted but attempts to implement the more

extensive preventative measures met with great resistance.

One good example of this institutionalized resistance to expanding the public role can be seen in the failure of the Provincial government to follow the advice of its own medical officials, until many years after the advice was given. In 1905 Charles A. Hodgetts, then Secretary of the Provincial Board of Health, a Fellow of the Royal Institute of Public Health and a member of the Royal Sanitary Institute, sent an eleven-page memo to the Provincial Cabinet urging the establishment of a Public Health Department with a full time Minister of Public Health. The object of the proposed department was to better coordinate and supervise the various types of public health activities in which the government was involved. Hodgett's memo was very carefully argued. On water and sewage problems he concluded:

with the increase in our cities and towns, greater oversight will have to be exercised over not only the inspection of public systems of sewage and water supplies, but it will require on the part of the province an annual inspection whereby the contamination of the latter by the former, will be checked and prevented. [25]

With regard to the disposal of industrial wastes:

It is [to] the Provincial authorities that the study of the disposal of manufacturing wastes and domestic sewage must be relegated; and this will involve the expenditure annually of money for the study of this important question, for experiments must be carried on constantly day by day, from year to year, present methods must be studied and new ones experimented with. The problem being an ever changing one. [26]

And, a final example, on the problem of growing immigration and housing adequacy, Hodgetts argued:

we want immigrants, but there should be some provincial oversight of the physical and mental condition of those who seek a home in this province . . . for in case of illness, especially of a chronic nature, they too often become a burden on the province.

The problem too, of the housing of this foreign element, is one that requires attention, for it is manifestly wrong both on sanitary, economic and social reasons, that twenty or thirty should live in a house capable of only holding a family of six or eight -- these things should not be, and they can best be considered and dealt with under a Minister having for his especial care the health of the people -- health which is the real wealth, unseen but felt, and without which the accumulated wealth of the world's millionaires is as nothing. [27]

Despite this strong advocacy in 1905, a Department of Health was not established until 1924. It was not until 1911 that Ontario's first Provincial Sanitary Engineer was appointed and not until 1920 that a Division of Industrial Hygiene was established within the Provincial Board of Health. [28]

2.2 Conservation of Human Resources Through Town Planning

Even though institutionalized resistance to new forms of state intervention continued, the material conditions of the pre-WW I period broadened health concerns into town planning concerns. Canada experienced its largest economic boom ever in the years just prior to the war. The economy began recovering from a recession in 1896, and except for a

brief recession in 1907 and part of 1908, there was a steady period of prosperity. This prosperity led to rapid urban growth as industries increased in size and number and immigration policies, in response, promoted rapid growth in Canada's population. The rate of economic growth, urban development and immigration which took place during the peak boom years of 1910 to 1913 were so great that they were not surpassed until after the second world war. Under such conditions of rapid growth, the unrestrained urban land and development market simply exacerbated the physical and social problems of the city.

Once again, under these new conditions, a new "urban" problem emerged. Potential solutions had to be defined and some group had to begin advocating reforms. The public health movement, through the Public Health Committee of the Commission of Conservation, led the way in defining this problem and advocated planning measures as solutions. [29]

The Commission for the Conservation of Natural Resources was established in May, 1909 as a purely advisory body. It had no administrative responsibilities. Its duty, as defined in the legislation establishing it, was to consider all questions

relating to the conservation and better utilization of the natural resources of Canada, to make such inventories, collect and disseminate such information, conduct such investigations inside and outside of Canada, and frame such recommendations as seem conducive to the accomplishment of that end. [30]

The Commission was established as a result of general concerns over the conservation of natural resources. Conservation measures being initiated in the United States led to Canada's official involvement. In 1908 a White House Conference was held on conservation resulting in the appointment of a National Conservation Commission. President Theodore Roosevelt, who was personally interested in conservation, proposed that a North American Conservation Conference be held to include representatives from Canada, Newfoundland and Mexico. This conference, held in February, 1909, adopted a resolution calling on each country to establish a permanent conservation commission. S.A. Fisher, Canada's Minister of Agriculture and Clifford Sifton, a former Minister of the Interior, were among Canada's delegates to the Conference. On their return to Canada Sifton drafted an "Act to establish a Commission of Conservation". Prime Minister Laurier was supportive and in May the Act was adopted. [31]

The Act provided for three groups of Commission members: one drawn from federal ministries; another from provincial ministries concerned with natural resources; and the third group, consisting of twenty commissioners, appointed by the Governor General. The object of such a combination of people, Sifton pointed out, was to secure for the Commission people who had "a high degree of scholarship, of scientific

knowledge and of administrative experience in order to ensure the work being successfully undertaken." [32] The Act required the Commission to meet annually, to submit annual reports, and authorized it to appoint a Secretary and a clerk under the provisions of the civil service act and to retain expert assistants for special projects. This provided the Commission with the necessary administrative and research assistance to make its work more effective and productive. Clifford Sifton was named Chairman of the Commission on Laurier's advice. The rest of the members were appointed by Order-in-Council in September, 1909. [33]

The Commission's work was divided into seven committees: fisheries, game and fur-bearing animals; forests; lands; minerals; waters and water power; press and co-operating organizations; and public health. Thus, the mandate was very broadly interpreted and went beyond mere physical resources. But why was public health included? From the beginning the Commission took a very broad view of its functions and of the term "natural resources". The definition of natural resources was so broad it included the country's "human resources", its people. This was understandable given the climate of the times: the public concern over sanitary conditions, the rapid immigration taking place and the rapid growth of urban areas.

It was the Laurier Government and, specifically, Clifford Sifton, who had been a Cabinet Minister from 1896 to

1905 [34], who actively promoted emigration to Canada. Without a large population the country could not develop. In the late 19th century immigration was at a trickle and many Canadians were even leaving for the United States, where agricultural conditions were better. Sifton's immigration policy was able to dramatically increase the rate of immigration. [35] But it was no use increasing the population if it was dying off from various man made, or at least preventable, conditions injurious to public health. Thus, it was useful for the nation's population to be viewed as a resource, a human resource which needed conserving as much as natural resources if the country was to further develop and realize its potential. In his inaugural address to the first annual meeting of the Commission, Sifton referred to this relationship:

The physical strength of the people is the resource from which all others derive value. Extreme and scrupulous regard for the lives and health of the population may be taken as the best criterion of the degree of real civilization and refinement to which a country has attained. [36]

Sifton pointed out that the public health role of the Commission would be to better coordinate the various provincial and municipal public health activities which were taking place at the time and to provide information to help promote further and more effective activity. Since health was not a matter within federal jurisdiction, Sifton argued that the Commission

could still play a helpful role:

A sub-committee from this Commission, representing as it does, all the Governments, might well be able to work out an acceptable and useful plan which would receive general assent. [37]

This would be the same role the Commission would play after 1914 with regard to town planning. Planning was within the jurisdiction of the provinces but the Commission could do its best to promote provincial activity. Promotion of public health and town planning were aimed at conserving the human resources of the nation and were as important as the conservation of natural resources.

Throughout the nineteenth century, as an increasingly industrialized and urbanized society developed, public health, sanitation, housing, land use patterns, and congestion were all obvious problems. But it was only after a larger work force was necessary for the greater expansion of the economy did corporate and government attention focus on improving working class living conditions. James White, an engineer and former Dominion Geographer who was appointed Secretary of the Commission, made this point quite clearly.

In modern political economy the conservation of human energy is regarded as a most important form of national economy. As Prof. Alfred Marshall says, in his 'Economics and Industry': 'Man is the chief means of the production of that wealth of which he himself is the ultimate aim. . . . The older economists took too little account of the fact that human faculties are as important a means of production as any other kind of capital.'

The inclusion in the work of the Commission of Conservation of the branches dealing with public health, town planning and housing is due to this recognition given to the widest and best means of conservation. [38]

Canada's economy industrialized toward the end of the nineteenth and at the beginning of the twentieth century, quickly outpacing agriculture, and a very large, healthy, contented urban labour force was required.

Dr. Bryce, then Chief Medical Officer of the federal Department of the Interior, pointed this out at the first annual meeting of the Commission of Conservation. He argued that overall national health is not simply a matter of the number of deaths in the population annually but that public health "may further be understood as indicating the maintenance of the largest possible number of effective citizens, viewed from the standpoint of their economic value to the State." [39] The best way to protect the economic value of the population was to be especially diligent in protecting the health of children. His focus was almost entirely on children for without a steadily increasing population there could not have been be steadily increasing economic prosperity. Because of this "intimate relation between population and progress", increasing the birthrate, protecting the health of mothers, decreasing infant mortality and protecting children must all be undertaken by the state.

We have already pointed out that in fifteen years at least one-third of the population of any country

moves from the non-producing years, under fifteen, into the producing sphere. If a person dies before he becomes a producer, we say, economically, that the parents alone lose their outlay on his maintenance, since he has not yet been a producer; but if he dies after becoming a producer, it is as if he had left the country; or, if he remains at home and his care during illness costs more than he had produced, then clearly he becomes an economic loss. [40]

One of the "preventative measures" which he advocated was the improvement of working class housing: "This increases with education in sanitation, morals and in provident living, and is essentially a matter for society, for the municipality and for the State to assist in." [41] Bryce closed his paper with an attack on dogmatic laissez faire approaches, by mustering all the arguments justifying state intervention used by early town planners.

If anyone is inclined to question the value of municipal, provincial or State interference in matters affecting the public health, it would appear that the illustrations from England, Germany and even the United States go abundantly to prove that laissez faire methods are no more logical in the face of foes active against the public health than they are when a foreign foe in arms attacks our shores. National prosperity in every field is demanding more and more the daily application of the scientific method in every field of human energy which, in a physiological sense, is capable of being weighed and measured as accurately as the number of foot-pounds of work obtainable from the consumption of a given number of pounds of coal, or as the number of kilowatts of electricity from a waterfall of a given height, depth and breadth. Public health is no longer to be classed as an imponderable but as a ponderable entity, to be dealt with along lines as exact as the building of a railway of minimum grades, or the getting of the highest mechanical efficiency out of a well-constructed steam engine. [42]

In the meetings sponsored by the Commission during 1910 to 1912 we can see the seeds of a Canadian planning movement being planted, as the issues of public health, housing and town planning are increasingly linked to one another. Shortly after it was established the Commission received a new mandate from the federal government which further tied public health and natural resources together -- through the problem of water pollution. The Standing Committee of the Senate on Public Health and Inspection of Foods stated in their report of February 18, 1910 that the Commission should look into the problem of obtaining uniform public legislation to deal with the pollution of waterways. Many lakes, rivers and streams flow through more than one province yet the federal government lacked authority (under the BNA Act) to deal with health matters. The Standing Committee on Public Health of the Senate stated in their report:

After hearing and carefully considering the evidence, your committee cannot fail to see that the public health of Canada is being considerably imperilled by the present custom of disposing sewage, garbage, etc., into lakes, rivers and streams of the country.

Your committee is of the opinion that the only remedy, and the only safeguard, lies in the passage of legislation to control it. The legislation to be effective must be uniform throughout the whole Dominion, and can only be brought about by co-operation between the Dominion and Provincial Governments.

It is, therefore, recommended that the Commission of Conservation, representing, as it does, all the Governments in Canada, be requested to call together

the Health Authorities of each province to meet them in conference at an early date, and endeavour to devise means whereby this end may be attained. [43]

The public Health Committee of the Commission of Conservation, in accordance with this recommendation called a conference for October 12 and 13, 1910, at which representatives of public health agencies of all the provinces, together with federal officials and the Commission itself, were invited. Sifton stated, in his opening address, that the conference would be successful if practical recommendations resulted. "This is a business meeting," he said, "and not a scientific conference." In addition to the problem of polluted water, he told the conferees that there was another matter he would like them to consider. This was "the question of the growth of slums in the cities and towns of Canada." He said few Canadian cities were without slum areas but that the problem was not yet serious. The solution was prevention since slum removal was too difficult.

Once a slum gets a strong and healthy growth, it is impossible to remove it, because, no matter how great the efforts to transplant the people and house them properly, the slum problem grows faster than any possible effort of a remedial character. The only effective way to deal with the question is to deal with it before the condition becomes pronounced. . . [44]

This concern with slums was simply tacked on to the end of his opening address on polluted water and sewage. He hoped the

conferees would use their positions "in helping to arouse public opinion on this very important subject." [45] This was in keeping with Sifton's approach to public health as the conservation of human resources, though it was not part of the Conference's agenda.

The Conference made a number of recommendations regarding the establishment of a Dominion public health laboratory, additional legislation and the formation of a national organization for public health officials. Sifton himself was part of the delegation which presented these recommendations to the government a few days after the conference. [46] One concrete result of the conference was the establishment of the Canadian Public Health Association. It began publishing The Public Health Journal and held conferences promoting public health reforms.

By 1910 the quantity and quality of the advances being made in medical and public health research far outstripped those being applied. The problem was less a technical one than a political one. High mortality rates were acceptable when the causes and solutions were unknown, which was no longer the case. Dr. Charles Hodgetts, who had been appointed in May, 1910, as the Medical Advisor to the Commission of Conservation's Public Health Committee, reported at the Dominion Public Health Conference the full extent of the

high mortality rates in cities throughout the country and the extent to which they fluctuated year to year, which meant that a variety of problems were not being controlled properly.

(The table he presented to the Conference is reproduced on the following page.) This caused him and the Commission to begin focusing on urban problems.

At the second annual meeting of the Commission Hodgetts presented a paper on "Unsanitary Housing". [47] He described in some detail the social and sanitary problems that arise from inadequate housing, and led directly into a discussion of to the need for town planning in Canada.

Going a step or two further, I would say no government can justify its existence unless it carefully considers this important question and places upon the statute book a law with ample and adequate regulations for dealing with unsanitary houses of all classes of the community and for conferring power on the city, town and village municipalities whereby they may not only control, but in a measure direct town and suburb planning. [48]

He then outlined the types of housing and planning activities the governments of Germany, Belgium, the United States and Great Britain were engaging in, paying most detailed attention to the British Housing and Town Planning Act of 1909. Together with the specifically medical aspects of the public health problem, Hodgett's Public Health Committee increasingly became involved in urban housing and planning problems during 1910, the first full year of the Commission of Conservation's

TABLE 2

Typhoid Fever, Mortality Statistics of Canadian Cities,
1900-1909

PROVINCE	CITY	RATE PER 100,000 OF POPULATION BY YEARS									
		1900	1901	1902	1903	1904	1905	1906	1907	1908	1909
Alberta.....	Edmonton.....	75.4	20.0	32.3	37.5	40.0	254.3	180.0	110.0	76.0	....
British Columbia..	Nanaimo.....	80.0	....	40.0	....	....	....	18.1	....	....	....
	New Westminster.....	46.1	....	....	....	25.0	62.6	42.1	76.1	58.3	....
	Rossland .....	....	....	....	....	....	....	18.1	....	25.0	25.0
	Vancouver .....	....	....	....	....	....	....	15.3	26.9	10.5	8.8
Manitoba.....	Victoria	29.1	21.7	....	18.5	3.4	16.1	18.1	17.1	5.4	10.0
	Winnipeg	122.3	118.3	95.0	52.8	248.3	175.0	108.8	49.2	40.5	38.4
New Brunswick..	Moncton	87.5	58.8	88.8	42.1	10.0	47.6	36.3	34.7	58.3	8.0
	St. John	26.1	....	....	....	....	....	....	....	....	31.2
Nova Scotia.....	Halifax .....	....	....	....	....	....	....	....	....	....	4.0
	Sydney	90.9	8.3	16.6	30.7	15.3	42.8	13.3	31.2	11.7	....
Ontario.....	Fort William .....	....	....	88.0	200.2	132.6	946.9	....	95.5	94.0	....
	Hamilton	23.2	18.9	13.0	11.1	12.7	13.8	33.5	17.9	14.0	....
	Kingston	16.5	32.8	10.8	57.6	21.6	28.4	37.9	52.2	41.7	31.2
	London .....	....	....	....	67.3	23.9	44.0	6.7	10.4	4.0	....
	Niagara Falls	44.0	....	....	14.1	....	37.7	37.0	74.0	24.3	....
	Ottawa	31.6	19.7	25.9	9.7	11.0	20.0	20.7	51.6	26.1	31.2
	Peterborough	73.5	30.5	18.0	34.6	49.3	41.7	26.7	25.0	18.1	5.9
	St. Catharines	28.6	57.0	47.1	18.7	35.6	44.7	25.5	....	....	24.3
	Strafford	25.7	46.4	....	37.2	25.1	24.5	23.3	7.5	....	20.7
	Toronto	10.5	11.1	11.8	15.9	18.1	16.7	24.5	19.4	19.8	25.7
	Woodstock	127.6	52.9	10.5	21.1	31.7	21.1	43.2	10.8	43.2	....
Prince Edward Is.	Charlottetown .....	....	....	....	....	....	....	16.0	16.6	....	8.3
Quebec.....	Montreal	42.6	44.4	30.9	31.4	31.8	18.1	37.0	63.2	33.1	53.8
	Quebec	7.3	13.0	....	....	....	....	....	....	23.1	5.3
	Sherbrooke	476.6	227.0	60.8	60.8	30.7	52.3	21.6	108.0	121.4	78.4
Saskatchewan....	Saskatoon .....	....	....	....	....	....	....	....	133.3	66.6	....

SOURCE: CC, AR, 1911, p. 125.

existence. During 1910 the Public Health Committee conducted investigations into "the housing conditions in Canadian centres of population and the existence of slum districts in the larger cities." [49] It also studied various domestic and foreign municipal bylaws and building codes "to ascertain the actual conditions prevailing in Canada, and, in the light of what has been done in other countries, to recommend such action as will be effective in preventing and removing unsanitary living conditions." [50]

A further direct link between public health, housing and town planning was made at the first annual convention of the Canadian Public Health Association, held at McGill University in December, 1911. The entire second general session was devoted to a "Symposium on Town Planning and Housing". [51] This was probably the first conference in Canada devoting direct attention to planning. The topics included a wide range of urban problems and papers were presented by an architect, landscape architect and lawyer, in addition to public health officials. The following seven papers were presented and later published in the Public Health Journal:

--Town Planning and Housing, Dr. Charles Hodgetts;

--Housing Problems, Dr. Charles Hastings, Toronto's Medical Officer of Health;

--Town Planning and Civic Authorities, Dr. J.E. Laberge, Superintendant of Montreal's Department of Infectious Diseases;

--Rehousing in Canada, W.D. Lighthall, a Montreal lawyer involved in municipal reform;

--Municipal Powers in Dealing with Town Planning Schemes, R.A. Outhet, a landscape architect;

--Unsanitary Areas, Dr. Roberts, Hamilton's Medical Officer of Health; and

--Town Planning from an Architect's Point of View, C.P. Meredith, an Ottawa architect. [52]

The papers emphasized the practical benefits town planning would bring in terms of public health. Hodgetts opened the Symposium with a general paper making clear the need to conserve Canada's human resources for the sake of greater national prosperity. "And what is the primary object of this movement?" for town planning, he asked.

Is it not to build up a healthy race of town dwellers to give the city child as much of the advantages of fresh air and sunlight as possible, fitting him thereby to take his place as a sound unit in the nation's work, physically sound men and women of good stature and high intelligence, but whose days will be prolonged in the land, adding thereby to our national wealth? We in Canada have no wish to perpetuate the degenerate. We certainly do want the best type of mankind that can be raised in the world. [53]

Since this could not be obtained under existing conditions and prevailing laws, Hodgetts urged the adoption of town planning legislation and better housing regulations with authority for their enforcement by medical officers of health. Hodgetts made a list of nine items which he said indicated some of the advantages of town planning. They are worth listing in full

as an indication of exactly what he meant by "town planning" and what he hoped planning could accomplish.

1. The improvement in the general health and morale of the people.
2. The reduction of the death rate.
3. The provision of cheaper and more healthy homes.
4. The setting apart of an adequate number of suitably located open spaces.
5. The absolute prevention of slums with all their accompanying evils.
6. It prevents undue expensive road making.
7. It obviates the present method whereby open spaces are acquired after the land has gone up in building value.
8. It prevents sudden large increases in land values which would otherwise result in land speculation.
9. It gives to the municipality that which belongs to the community, its portion of the unearned increment which now goes to the speculator and which is not his. This is estimated in England at one-fifth of the selling value. [54]

In short, implementation of town planning would help solve most of the city's public health, housing, and physical development problems. This was the theme of all the papers given at the Symposium. Planning was being seen more and more as a panacea. It would require increased state intervention but did not require radical political or institutional change. To succeed public opinion had to be aroused so that politicians would take the legislative steps necessary.

A month after the 1911 convention of the Canadian Public Health Association, Hodgetts presented his annual report on public health to the January, 1912 meeting of the Commission of Conservation. His report, titled "Housing and Town Planning", is one of the most thorough statements published in Canada up to that time on what ought to be done about urban problems. It touched on all aspects of housing and planning. He called for a centralized approach to both, a common theme of reformers of that era because individual municipalities would not implement the housing and planning reforms they deemed necessary. Hodgetts argued that "Housing conditions should be regulated and supervised in a strong and almost imperative manner by a central national health authority." [55] He said strong provincial supervisory agencies ought to be established to oversee all municipal planning and to force municipalities to act if they are negligent in their duties.

We want a vigorous race of sound and healthy men and women. This desideratum can only be secured by an immediate and united effort to place upon the statute books of each province, laws dealing with town development, unsanitary houses and the improvement of areas built upon. But we must not stop at this. There must be power vested in some central authority to supervise and, if necessary, carry out work when required in the interest of the people of any community. It will be necessary that this central body shall have advisory powers and the various interests must be represented. [56]

He said this advisory planning body should consist of a medical officer of health, an architect, an engineer, a landscape architect and a legal advisor. He then outlined provisions of the 1909 British housing and planning act, as an example of what ought to be done in Canada. [57] At the time he had just returned from a tour of Britain and other European countries studying their housing and planning legislation. He was quite impressed at the progress being made in Europe and was determined to see it take root in Canada.

In Europe, the work was begun, and is continued with the object of improving the environment of the individual, to better him physically and morally and fit him for his position as a unit in the nation's life, thereby overcoming that degeneracy which decades of unsanitary housing had wrought upon its town dwellers. The work has been taken up from the health standpoint and mainly on the initiative of the medical health officers. With this object in view, it naturally follows that the measures taken would be of a legal character. Progress may have been slow, but it has been of such a character as to be most illuminative to Canadians. [58]

During 1912 Hodgetts went on a speaking tour across Canada, from Halifax to Edmonton, preaching planning as the solution to urban problems.

In 1913 town planning was again a subject of discussion at the annual Congress of the Canadian Public Health Association, held in Regina that year. A.L. Favell, a Saskatchewan architect, presented a paper on "Town Planning and its Influence upon Public Health." [59] Architects and engineers

began picking up the public health theme as promoted by medical authorities and it began having a more explicit impact on design ideology and the built form of cities. Good urban public health conditions could only be maintained if there was plenty of sunlight and fresh air in cities.

To provide sound sanitary conditions we must secure that a trinity of necessities are provided. Sunlight, fresh air and vegetation. An adequate supply of these can only be secured by (1) limiting the overcrowding of buildings upon the land; (2) by a proper distribution and arrangement of such buildings; and (3) by establishing proper relations between such buildings and the system of sewerage and water supply. [60]

By doing this, Favell stated, "correct city planning and its execution will have an enormous influence" on public health standards, and "will do much to secure the health of the people." [61] Rooting planning in public health this way, it was not surprising that Canadians would see planning as a science, in the same way as medicine and public health are sciences, activities best left up to experts. "City planning is a science," Favell stated, and is "bound by the same rules as is any other work." [62]

This transition within the public health movement toward the advocacy of planning took place rather rapidly and suddenly in Canada. The link between the two appears for the first time at conferences and in periodicals in 1910 and 1911. Before that there is no record of any significant linking of

public health and planning and after that town planning developed a life of its own outside of the public health movement. The planning movement still contained and incorporated public health advocates and concerns, but it became much more broadly based than the public health movement. By the late 1910's and certainly during the 1920's the two concerns became increasingly separate, though related. Public health took on an increasingly medical orientation as the causes of various urban health problems became better identified, while the planning movement focused more on the physical problems of cities. The only clear overlap remained in the concern over housing problems, especially in slum districts of cities, where health and physical development required attention from municipal government. [63]

Chapter 2 Footnotes

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2. Canadian Public Health Association, loc. cit., "Public Health in Upper Canada", pp. 61-66; R.B. Splane, Social Welfare in Ontario, 1791-1893: A Study of Public Welfare Administration, Toronto: U of T Press, 1965, Chapter 5, "The Development of Health Services", pp. 194-213; and Ontario Department of Health, "The Development of Public Health in Ontario", PHJ, Vol. 26, 1935, pp. 110-123.

3. Quoted in: Splane, loc. cit., p. 197.

4. C. Dade, Notes on the Cholera Season, 1832-4, quoted in Splane, ibid.

5. See: Brockington, loc. cit.

6. Upper Canada, Statutes, 1835, Chapter 10.

7. Ontario, Statutes, 1899, Chapter 8; see also: Canadian Public Health Association, loc. cit., p. 63.

8. Ibid., p. 64.

9. Upper Canada, Statutes, 1849, Chapter 81. See also: K.G. Crawford, "Municipal Government in Ontario", Ph.D. thesis, U of T, 1930; C.E. McGaughey, "The Development of Municipal Institutions in Ontario", M.A. thesis, Queen's University, 1939.

10. Splane, loc. cit., pp. 198-199.

11. BNA Act, 1867, Sections 91 and 92. See: Canadian Public Health Association, loc. cit., p. 65.

12. PHJ, March, 1911, p. 104.

13. Ibid.

14. Ibid., pp. 213-215.
15. Ibid., p. 103.
16. Rosen, loc. cit., p. 314.
17. Lewis, loc. cit.
18. Rosen, loc. cit., pp. 287-290.
19. Ibid., pp. 227-278.
20. Ibid., p. 290.
21. W.W. Watson, "Water Supplies", CE, Feb., 1900.
22. "Toronto Sewage Disposal", CE, March 19, 1909.
23. See: M.J. Piva, The Condition of the Working Class in Toronto: 1900-1921, Ottawa: University of Ottawa Press, 1979, especially Chapter 5, "Public Health and Housing".
24. Ibid. See also: P.A. Bator, "Saving Lives on the Wholesale Plan: Public Health Reform in the City of Toronto, 1900-1930", Ph.D. thesis, U of T, 1970.
25. C.A. Hodgetts, "A Plea for a Provincial Minister of Health", 1905, OA, R-6-8, I-1-A-1, Box 13.
26. Ibid., p. 9.
27. Ibid., p. 10.
28. See: Canadian Public Health Association, loc. cit.
29. See: A.H. Armstrong, "Thomas Adams and the Commission of Conservation", Plan Canada, 1(1), 1959, pp. 14-32; and A.F.J. Artibise and G.A. Stelter, "Conservation Planning and Urban Planning: the Canadian Commission of Conservation in Historical Perspective", in R. Kain, ed., Planning for Conservation: An International Approach, London: Marsell, 1980, pp. 17-36.
30. Canada, Statutes, 1909, Chapter 27, Sec. 10.
31. Canadian Annual Review of Public Affairs, 1909, pp. 189-191. See also: CC, AR, 1910.

32. CC, AR, 1910, p. 3.

33. For a full list of the names and affiliations of Commission members, see: CC, AR, 1910, p. xi.

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38. J. White, "Town Planning in Canada", CE, Feb. 6, 1919, p. 114.

39. P.H. Bryce, "Measures for the Improvement and Maintenance of the Public Health", CC, AR, 1910, p. 114.

40. Ibid., pp. 128-129.

41. Ibid., p. 130.

42. Ibid., p. 134.

43. CC, AR, 1911, p. 118. Proceedings of the Oct., 1910 Dominion Public Health Conference are published in the Commission of Conservation's second annual report, 1911.

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45. Ibid., p. 123.

46. C. Sifton, "The Work of the Commission of Conservation in Canada", in Canadian Club of Ottawa, Addresses, 1910, p. 140.

47. CC, AR, 1911, pp. 50-84.

48. Ibid.

49. Ibid., p. 105.

50. Ibid., pp. 105-106.

51. PHJ, Jan., 1912, pp. 44-42.

52. Ibid.

53. PHJ, Feb., 1912, p. 63.

54. Ibid.

55. CC, AR, 1912, p. 130.

56. Ibid. p. 141.

57. See: M.J. Minett, "The Housing, Town Planning etc. Act, 1909", The Planner, 60(5), 1974, pp. 676-80; and W. Ashworth, The Genesis of Modern British Town Planning, London: Routledge and Kegan Paul, 1954, Chapter 7, "The First Town Planning Act and its Origins", pp. 167-190.

58. CC, AR, 1912, p. 138.

59. PHJ, June, 1914, pp. 382-384.

60. Ibid., p. 383.

61. Ibid., p. 384.

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63. See: I. Cooper and J.D. Hulchanski, Canadian Town Planning, 1900-1930: A Historical Bibliography, Vol. III, Public Health, Toronto: Centre for Urban and Community Studies, U of T, April, 1978.

Chapter 3

Housing and the Suburban Solution

By the time the public health movement turned some of its attention to town planning, a number of other interests also began advocating planning. A fairly large and active town planning movement emerged in Canada by 1910. Within a few years many provinces, including Ontario, had adopted their first planning legislation and several early forms of land use regulation were being implemented. Even though public health concerns continued to be a major factor, urban and economic conditions had changed rather dramatically from those of the nineteenth century, broadening the concern over town planning. What new conditions brought about this widespread interest in planning? Who became interested in planning? What type of approach to planning was being advocated, and why? The evolution of provincial planning legislation can only be understood in the context of the broader conditions and issues from which it emerged. In view of the level of resistance to new forms of state intervention in the private sector, some problem or set of problems must have been serious enough to stimulate the widespread interest in planning.

Given the level of economic growth and prosperity,

which began in the late 1890's and turned into a major boom by the 1910's, the problem was not one of production of goods and services or unemployment. Rather, the problem was one of social institutions, their failure to keep up with the rapid pace of economic development. Canada became an industrialized and urbanized nation by 1910. Existing cities grew very rapidly and, in the west, entirely new cities sprang up. The population, through massive immigration, increased dramatically. Rather than production, problems of social reproduction became serious. A large urban working class had emerged. Many were recent immigrants and most were working in industrial jobs for the first time. Factory jobs did not pay very well and few regulations existed to protect the workers' welfare.

Under these conditions the social and business elite became concerned about social unrest and general problems of working class socialization. Middle class professionals became concerned about the social and physical conditions in which this new urban population lived and raised their families. Together these two groups sought ways of maintaining social stability and improving social reproduction, i.e., working class living conditions, while at the same time avoiding any major institutional change.

The general "solution" to these problems was seen to be town planning -- planning in the sense of creating better

urban living conditions. The best way to improve living conditions was to provide good quality affordable working class housing. Since there was a strong undercurrent of environmental determinism at the time -- the belief that improved living conditions would lead to a more socially stable and contented working class -- it was believed that good housing, especially privately owned detached housing, would help create better citizens. Problems of social unrest and problems of social reproduction could be solved through environmental reforms. Defining environmental conditions as the root of social problems was not only very practical but also very convenient for maintaining the status quo. No one group in society was singled out for blame. The belief in class harmony rather than class conflict could be maintained and the solution consisted of measures which did not directly harm anyone's interests. The type of planning being advocated was aimed at rationalizing and assisting the market mechanism, not replacing it. And even though planning involved new forms of public regulation of private sector activities, this was much preferable to the threat of substantial social change and/or social unrest.

It was under these conditions and with these concerns that a widespread town planning movement emerged throughout Canada. These conditions, concerns, and the political clout of planning advocates defined the nature of the planning which

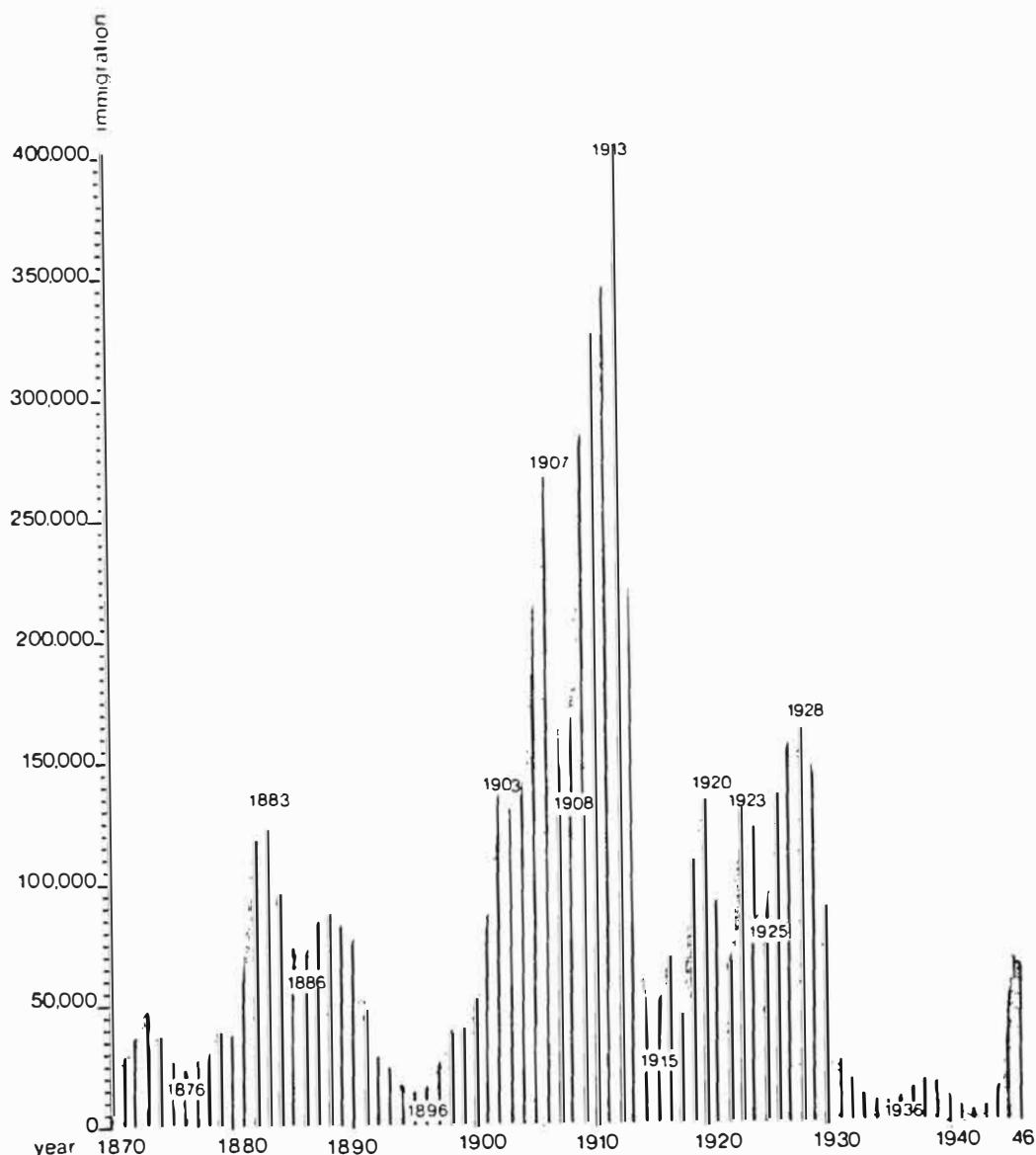
was to be implemented. As conditions changed, especially once the economic boom and population boom ended in 1914, the immediacy of planning reforms decreased, creating a large gap between what professional planners and advocates of planning wanted and what was actually implemented.

3.1 Rapid Immigration and Urban Growth

The fifteen years prior to World War I are unique in Canadian history. The unprecedented rate of industrialization and urbanization was only part of this uniqueness. In order to have such a high rate of growth a large and growing population was necessary. Federal policy encouraging immigration proved quite successful. Some 2.9 million new immigrants came to Canada during the 18 years from 1896 (when the period of prosperity began) to 1913. By 1911 20 per cent of Ontario's population and 50 per cent of the population of the four western provinces was composed of recent immigrants. During the four year period at the peak of the economic boom, from 1910 to 1913, the rate of immigration reached an average of 350,000 per year -- a total of 1.4 million immigrant arrivals in the four years (see Figure 1). [1] Such annual rates of immigration have never been equalled in Canadian history.

To understand how phenomenal this growth was it must be kept in mind that the entire population of Canada in 1900 was only 5.3 million and in 1910 7.0 million. [2] This meant

FIGURE 1

IMMIGRANT ARRIVALS,
CANADA 1870-1946

SOURCE: M.C. Urquhart, Historical Statistics of Canada,
Toronto: Macmillan Co., 1965, p. 23.

that in each of the peak years from 1910 to 1913 an average of 4.8 per cent of the population was composed of newly arrived immigrants looking for jobs and housing and having to adjust socially and culturally to Canadian society. Finding jobs was not that much of a problem. The economy was expanding so rapidly that even at this rate of immigration manufacturers were still complaining about a shortage of labour. In 1910, for example, the Canadian Manufacturers' Association reported that "there was an immediate employment awaiting 5,000 extra hands in Canadian factories, with the prospect of a much larger number of openings after the first of the year." [3]

Finding housing, however, was a problem. Between 1901 and 1911 Canada's population increased by 1.9 million. Most of this increase took place in urban areas. About half of the increase in western Canada (1.1 million) occurred in urban areas. The ten largest cities, not counting their suburbs, gained 650,000 people between 1901 and 1911. [4] During this ten year period Canada's urban population increased 62 per cent and by 1911 there were ninety cities with populations over 5,000 whereas in 1901 there had been fifty-eight. In Ontario the rural population during these ten years declined by 50,000 while the urban population increased by about 400,000. By the 1911 census a majority of Ontario's population, was for the first time, urban (see Table 3).

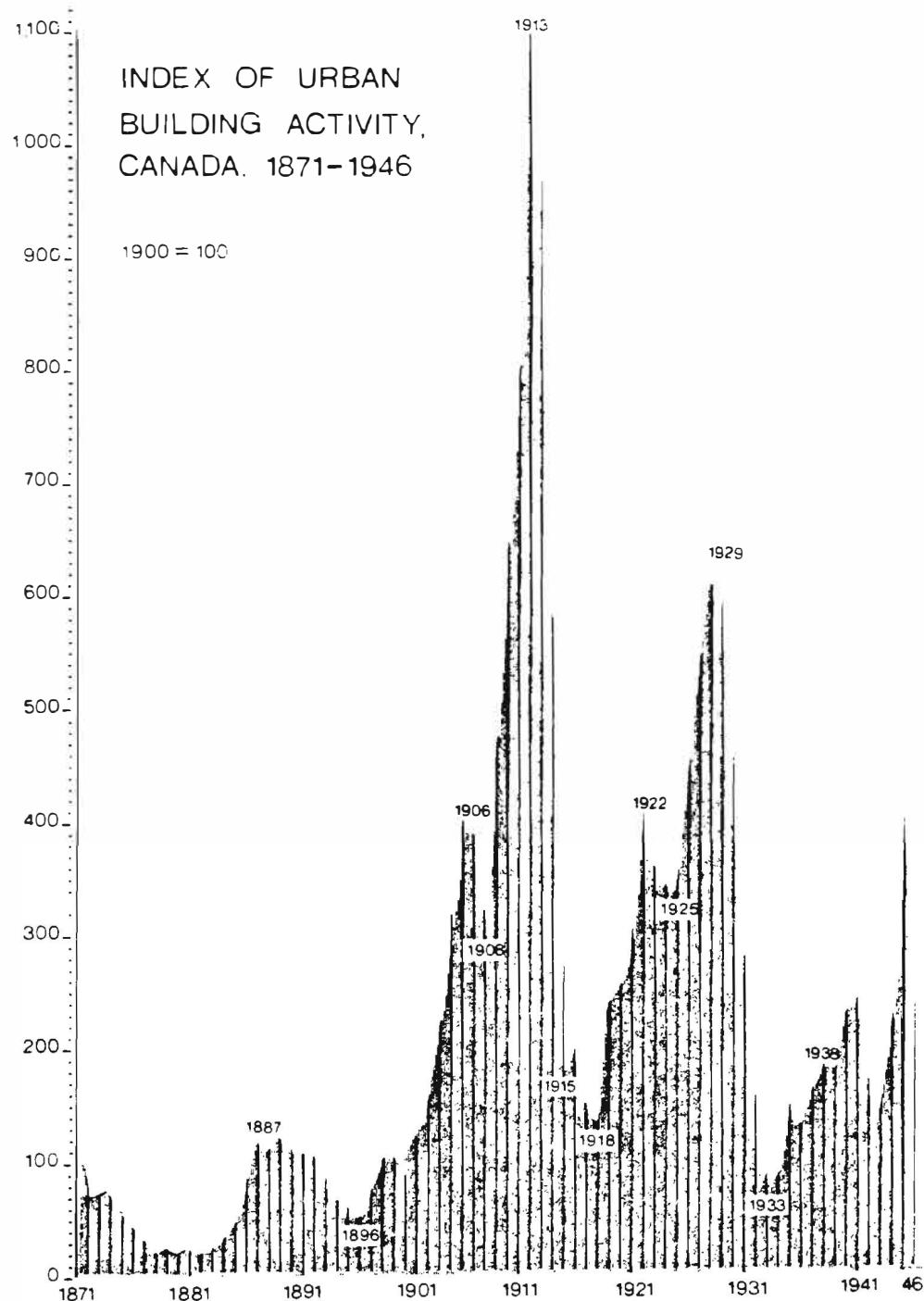
TABLE 3
Urban and Rural Population Ontario
1871-1941
('000)

	Urban	Rural	Total	% Urban
1871	356	1,265	1,621	22 %
1881	576	1,351	1,927	30
1891	819	1,295	2,114	39
1901	936	1,247	2,183	43
1911	1,328	1,199	2,527	53
1921	1,707	1,227	2,934	58
1931	2,096	1,336	3,432	61
1941	2,339	1,449	3,788	62

Source: DBS, 1951 Census, Table 13-2

The cities this new urban population settled in were growing extremely rapidly without any significant land use planning regulation. The national index of urban building activity climbed from 55 in 1896 and peaked in 1912 at 1,106 (1900=100; see Figure 2). The 1912 peak in urban construction activity was not surpassed until well after World War II. Even though a great deal of housing was being built, the quality was generally quite poor and could not keep pace with demand. The sheer quantity of housing being built placed several financial hardships on municipalities for servicing land. In 1912, the peak year for housing starts, 85,200 units were built, a level of production not surpassed until 1954.

FIGURE 2



SOURCE: K. Buckley, Capital Formation in Canada, 1896-1930,
Toronto: McClelland and Stewart, 1974, p. 220-225.

In the thousands of speculative subdivisions popping up across Canada, little attention was paid to street layout, adequacy of servicing standards or quality of construction. Because of rampant speculation, "leapfrogging" of residential development took place. Housing was built further and further from the centre of the city, even though serviced lots closer to the city remained vacant. The only beneficiaries of this process were the land speculators fortunate enough to sell off their lots before the land market collapsed in 1914. Speculation forced up the cost of residential lots, making housing unaffordable to many working class families. Those who could not afford new housing were forced into overcrowded and often insanitary housing in the older parts of the inner city.

It was conditions such as these which stimulated widespread interest in vaguely defined notions of town planning. These conditions led Canadians to focus on planning as a means of ensuring more rational and efficient residential districts. In contrast, planning in the United States focussed more on grandiose "city beautiful" plans. The influx of new immigrants was much greater proportionately in Canada than in the United States during its period of peak immigration. [6] This point was clearly understood at the time and was responsible for the focus on improved housing. In his report to the 1913 annual meeting of the Commission of Conservation, Dr. Charles Hodgetts made special mention of the great

influx of immigrants and the need for the state to assist in the provision of housing for them. One paragraph of his report nicely summarizes his perception of the problem and the solution.

We have before us the evidence of over-crowding and slums with all their associated evils. We know that these conditions are not being lessened but rather, on the other hand, are being aggravated. We know that greater and commendable efforts are being put forth by social workers in every large centre with the object of securing a mitigation of the evil. What is being done by the state to assist them, in their efforts to care for and assimilate these people, and what is being done along preventive lines to meet a difficulty if not a calamity, by providing ways and means for the immigrant population? It is essential that the immigrants be properly housed, fed and clothed. They may work to secure the two last-named, but who is to provide the home in which they must live? Under existing circumstances, we are damning posterity through the environment into which we are driving this class of our people. Year after year we neglect to provide for their proper housing; and we are piling up for ourselves obligations which, if we were wise and far-seeing, we would prevent. Proper and adequate housing facilities represent the most concrete and most essential element in the control of the health and human efficiency of our people, and legislation which would tend to improve the existing unsanitary conditions is imperative, owing to the constant increase of our population, particularly our foreign population. [7]

This need to cope with massive immigration combined with the fact that Canada industrialized and urbanized a bit later than the United States, meant that the city beautiful master plan approach to planning never became a major element of the Canadian town planning movement. The city beautiful phase of American city planning took place generally from the late

1890's to about 1910. Housing was less of a problem than in Canada. Since cities in the US were generally larger and older, their problems related more to the efficiency of the road network and the quality of the central business districts. In Canada, social control was the more pressing urban problem, not municipal beautification, parks or roads.

This difference, it must be noted, was a difference in emphasis. City beautiful plans were prepared for Calgary and Toronto. Vancouver staged a major design competition for a new civic centre. These proposals were advocated by the downtown businessmen as a means of improving the central areas and as a means of gaining publicity for their city as a "progressive" place to do business. For many members of local business elites, especially in the west where new cities were popping up, planning was simply another aspect of the package of things one did to boost one's local community. The more population and industry and commerce a city could attract to itself the more wealth there would be within the community. So every town and city which had any dreams of greatness adopted a growth strategy, combining bonuses for new industries, major public works programs, deficit municipal financing, massive land annexations, and municipal ownership of key utilities (if they were not being provided efficiently and cheaply by private interests). As planning became a more important issue throughout North America, it became one of

those important features any progressive and growing city just had to have. In these terms, planning usually meant the establishment of a town planning commission and a professionally prepared master plan. These planning commissions were almost entirely composed of the local business elite of the community. Calgary, for example, was the only Canadian city to have a master plan equivalent to the best of the American City beautiful plans. Prominent English architect Thomas Mawson was hired. In their appeal to city council for funding for the plan, the Calgary Planning Commission argued that hiring someone of the stature of Mawson would be good publicity for the city. "We also believe," they wrote, "that... the announcement that we are employing an expert of world-wide repute, would rebound to our credit, and that this, in itself, would be of great value to us from a publicity stand-point."

[8] Other than this use of planning for local boosterism, it was primarily the focus on housing which defined the content of Canadian town planning. No city beautiful plan or civic centre proposal was implemented in Canada. Even the concept was widely attacked. As Van Nus has pointed out in his study of the Canadian city beautiful movement, planning in Canada essentially meant the planning of working-class suburbs.

The burden of these attacks [on the city beautiful approach]. . .was that the first duty of professionals lay in pressing for suburban regulation which would minimize the cost of providing workers' housing, and that people's identification of planning with costly

city beautiful projects impeded public acceptance of the need for suburban planning. [9]

Among the numerous articles on planning published in Canada at the time, very few promoted or defended the city beautiful approach to planning. It was too limited an approach and did not address itself to the obvious urban problem of the day. A 1911 article in the Canadian Municipal Journal, for example, argued that the provision of sanitary housing for the working class was "the real meaning of city planning":

Magnificent avenues, leading to grand buildings, are desirable. Lovely and artistic parks should be in every city. But the dwellings in which those live who cannot get away from their homes the whole year long, really decide whether any city is to be healthy, moral and progressive. The common people are in the great majority; their proper accommodation is the greatest problem. [10]

As Hodgetts pointed out, working class families, especially recent immigrant arrivals, may be able to provide food and clothing for themselves, but few were able to provide proper housing under the conditions that prevailed at the time.

3.2 Environmental Determinism

If social control of a growing urban working class population through housing reform was the major concern underlying the town planning movement, how was this connection made? Why place so much faith in the benefits of improved

housing? The answer lies in a key element of the social theory of the early advocates of planning -- the role the environment plays in determining character. There was a strong belief in environmental determinism, that bad living conditions were responsible for the social and labour unrest of the day. Improved living conditions should, therefore, make social problems decline. This belief did much to help stimulate the growth of the town planning movement and to give Canadian planning its heavy emphasis on improved working class housing.

Planning literature, as well as most literature addressing itself to social problems and labour unrest, stressed the large role the environment played. The Journal of the Town Planning Institute of Canada, for example, noted:

"Reform delayed," said Edmund Burke, "is revolution begun." Where working people have comfortable homes, gardens and recreation space for out-door life there is no social discontent, no labour turnover, no revolutionary societies.... "Bolshevism," said the late Governor General of Canada, "hides in the slums or our towns and cities." [11]

Improved housing via implementation of town planning measures was seen as one of the important ways of coping with the concern over possible disintegration of social life and the emergence of class conflict. There was a great deal of industrial turmoil as unions tried to organize and many felt that bad urban living conditions made matters worse. The underlying assumption of environmental determinism was so strong

that even labour unrest was seen by some to be caused by living conditions rather than conditions in the workplace. "Labour unrest, the constant tendency of labour to take part in strikes and to move from one place of employment to another," noted Thomas Adams, "is largely due to bad housing conditions and lack of proper recreation facilities." [12] The way to solve housing problems, according to Adams, was through the implementation of town planning: "The best way to counteract social unrest was to house people well, and this could best be done by effective town planning." [13]

Environmental determinism formed the implicit basis of the planning advocates' theoretical framework and helps explain why they advocated this type of planning approach. There was an emphasis on homeownership, on low density housing, on creating parks and open spaces, on prohibiting tenements and apartment buildings, on separating different categories of land uses, on separating different classes of residential areas, on improving the design of suburban developments, and on moving industry away from the city centre. To accomplish these legislation was required and much time and effort was spent trying to convince government to adopt the legislation the planning advocates felt would best do the job. As we shall see in Chapter 4, the early legislation sought authority for establishment of municipal planning commissions, for preparation of master plans, for regulation of new subdi-

visions and for the separation of different categories of land uses (zoning). Since social and political problems were basically environmental problems, improvements in the physical environment were called for. For this reason, therefore, we find members of the elite, from the Governor General down to local businessmen, promoting various forms of land use planning. We only rarely find leaders or members of the working class in the town planning movement. Their struggle was in the workplace over basic economic issues and working conditions and their solutions most often involved broader societal change, not just physical improvements.

The early planning texts are full of attempts to lend scientific legitimacy to an environmental definition of social and urban problems. One of the first planning texts published in North America, Charles Mulford Robinson's Modern Civic Art or the City Made Beautiful (1903), provides a classic statement of an approach based solidly on environmental determinism. In the first paragraph of the chapter on tenements, it states:

Social problems are to a large degree problems of environment. This with increasing positiveness is the conclusion of modern scientific study into the depths of sociology. Give the boy and girl a chance; make it possible for them to work off sheer animal energy in harmless amusements; render homes pleasant, and satisfy the craving of men for brightness, entertainment, and fellowship without throwing them into temptation; let an abundance of fresh air and sunshine into living and sleeping rooms, and the slum will be ancient history and many of sociology's hardest problems will be solved. The Juvenile Court

would not have business enough to keep it going; the saloon would have its vigour sapped by a substitute; the hospitals would not require constant multiplication. There would be more manliness; there would be purer souls, for there would be less temptation; there would be saner minds because of stronger bodies. And out of depressing social conditions grow political evils. In the city slum smoulders the fire which breaks forth in revolution; in the conditions of the slum are bred those iniquities of politics -- or the circumstances which make them possible -- that may render revolution justifiable. [14]

The rather obvious solution to these urban problems was to see that future urban development eliminated the possibility of these problems arising. High density inner city apartments for the working class were not advocated as a solution. Rather they were part of the problem. Inexpensive rental accommodation built on expensive land were not "apartments" but "tenements" and tenements were not very far from being slums. Stimulating ownership of single family housing came to be defined as the best solution to both the social and physical problems of the city.

The theme relating to the stabilizing influence of homeownership also runs throughout the early housing and planning literature. In the first decade of this century, before there was a town planning movement in Canada, numerous articles on housing appeared in publications such as the Canadian Manufacturers' Association's Industrial Canada. One editorial on "Workingmen's Houses" summarized the problem and the solution in the following way:

[There is] the need of relieving the present congestion of the population, and of formulating some plan whereby workmen may become the owners, in time, of the houses they occupy. Of these the first refers largely to the general effect on health and morality of the public, of unsanitary and over-crowded living quarters. That the moral and physical well-being of workmen has a direct and strong influence on their work goes without saying. The second affects the relationship of employer to employee and should ensure a permanent staff of satisfied workmen. [15]

Homeownership, the editorial argued, would help prevent "the roving tendency" of the working class "where the workingman has no ties binding him to one location." [16] Another factor affecting stability was the lack of good family housing which "acts as a deterrent to our young people from marrying and settling down to make good citizens." [17]

Homeownership was such a dominant feature of housing policy that Canada's first national housing program, the 1919 housing loan program, focused entirely on the stimulation of homeownership. The \$25 million program provided low interest loans to people willing to purchase a house. The program came about as a result of the slump in housing construction during the war and the social turmoil following the war. In 1919, for example, the number of strikes reached their all-time peak, with the Winnipeg General Strike among the most serious. A member of the National Industrial Conference, appointed by the federal government to look into the causes of the unrest, found that one of the causes "was the scarcity of houses and the poor quality of some of those which did exist."

[18] The Conference congratulated the government for initiating the housing loan program:

Resolved that this conference, recognizing that much industrial unrest, economic loss and social suffering has resulted from land speculation, poor and insufficient housing and high rents, heartily commends the action of the Dominion and Provincial Governments in their united efforts to improve housing conditions and to provide proper facilities for the proper and satisfactory housing of the people.... [19]

In commenting on the housing program, the Canadian Municipal Journal also noted the importance of ownership:

To our mind the best way of raising the social status of the working man and his family is to make it possible for him to secure a little home of his own. Workmen proprietors are among the most contented people in Canada and make the better citizens because of the added responsibility and opportunity of paying their taxes direct. [20]

Paying property taxes helps working class owners become "public spirited citizens" who take "a keen interest in the education of their children and in civic affairs generally". Ultimately, the article pointed out, "home proprietorship surely gives a man a sense of security and responsibility that no advance in wages can give him." [21] The attitude in the United States was the same. For example, a housing pamphlet published in 1923 by the U.S. Department of Commerce contained a Foreward by Herbert Hoover, then Secretary of Commerce. In it he argued that

maintaining a high percentage of individual home owners is one of the searching tests that now challenge the people of the United States. The present large proportion of families that own their homes is

both the foundation of a sound economic and social system and a guarantee that our society will continue to develop rationally as changing conditions demand. [22]

Hoover also outlined a long list of benefits that come from homeownership, all of which would help to stabilize the status quo: a better atmosphere to bring up children, a more productive worker, better quality leisure time, a greater likelihood of saving money, and a greater "interest in the advancement of a social system that permits the individual to store up the fruits of his labour." [23]

By the time planning text books began appearing, homeownership was assumed to be one of the primary goals of residential planning in North America. In his 1934 textbook on housing, The Design of Residential Areas, Thomas Adams wrote that

the greater the number of citizens who own their homes, the greater the stability of society and of government in any country. Home ownership improves civic standards and conditions because of the incentive which it gives the owner to improve his property and to protect the good qualities in his surroundings. It is a stimulus to thrift and has the effect of increasing the interest of citizens in public improvements, economy in municipal government, and cooperative action in obtaining community and cultural facilities. [24]

The early planning movement in Canada not only favoured homeownership, but also promoted the low density housing now typical of North American suburbs. The over-crowding and the growth of slum districts of tenement housing

in cities such as London and New York were something Canadians sought to avoid in their rapidly growing cities. The best way to do this was to encourage development of low density residential districts, preferably with detached housing suitable for individual ownership. The promotion of low density suburban development, therefore, became a key element of the early town planning movement. Speeches and publications on urban conditions during the 1910's are full of attacks on high density apartment accommodation. The major British opponent of high density housing, for example, British M.P. Henry Vivian, received widespread attention in Canada.

Vivian first came to Canada in 1910 at the request of Earl Grey, the Governor General, who was also a promoter of housing reform and town planning. During September and October Vivian spoke in most of the large cities on the topic of city planning and housing. The following is a fairly typical statement of his beliefs on the importance of low density detached housing. In his address on "City Planning" to the Canadian Club of Ottawa, Vivian argued that

you in Canada... join with us in the old land in preserving in all great cities the idea of the individual home against the tenement and barrack dwelling. I am satisfied that in doing this you will be taking one of the greatest steps to preserve the efficiency of the British race. I believe, that no race can really lead the nations of the world, or even long survive, if the great masses of its people are housed in tenements and barracks, with a staircase for a playground, and the window ledge for a garden. The whole idea is false to the right conception of the home. You must maintain in the indivi-

dual, the love of home, and to do this you must enable them to have homes worthy of their pride and love.... Let us give our people homes, not three rooms in a barracks, thirteen or fourteen storeys high, but a home for each family and for each home its separate garden. [25]

Rather than simply using public health or political arguments, Vivian urged housing and planning reforms for patriotic reasons -- the need to raise a race worthy of leading the British empire and the world. The emphasis on individual homes, each with its own garden, contributed to the growing sentiment that better planned suburbs were the answer to the housing problem and, therefore, the social problem in Canada.

After Vivian's Ottawa address, Earl Grey commented further on the evils of urban slums and the need to avoid them in Canada:

Slumdom is responsible for a great part of the crime, the disease, the insanity, the misery of our time, and for the moral, mental and physical degradation of humanity.... The thought of the slum evil coming into Canada, the thought of Canada's lovely cities being befouled by the existence of slums within their borders, gives me as much pain as would the thought of one I think well of going wrong. [26]

In attacking the slums, high density housing was also being attacked. This is fairly logical given that the average working class person had a hard time affording good quality housing so that any high density apartment building housing many working class families would have to be cheaply built and poorly maintained, and could very easily be labelled a tene-

ment or slum. All through early planning history attacks on the evils of "slums" were commonplace, again because of the degree of environmental determinism at the root of planning philosophy.

In 1934 we can still find prominent Canadian planners, such as Noulan Cauchon, the Chairman of the Ottawa Town Planning Commission, attacking slums in the same way and for the same reason as Vivian and Earl Grey in the 1910's. According to Cauchon, the slum

will not produce or foster physical or moral stamina. The slum cannot produce character. It is conducive only to mental and moral disintegration. It piles up a community's depressing costs for charitable and penal institutions. [17]

This is fairly logical given that the average working class, high density apartment building was likely to be cheaply built and poorly maintained -- thus easy fitting the label of tenement or slum. Cauchon's alternative was the individual "cottage". Cauchon noted in one speech that the cottage was held to foster more individualism in its tenants than the apartment building, and that it was easier to make a Bolshevik out of an apartment dweller. [28]

The solution was to promote well planned suburban development. The philosophy behind Ebenezer Howard's idea of creating garden cities, combining the best of city and countryside in low density new towns, received support because it addressed itself to the problem of overcrowding. From this we

have received not garden cities but modern suburbia. In his Practical Housing, J.S. Nettleford promoted just this type of low density development. "It is not suggested that the introduction of Town Planning would immediately" solve the over-crowding problem, he wrote, "but it will be obvious to the most casual observer that, by restricting the number of houses to be built per acre, a much larger amount of land will be brought into use than is the case under present conditions."

[29] Raymond Unwin, one of the architects of Letchworth, the first garden city, saw the individual suburban house as a means of repairing the damage done to the family structure by the industrial revolution.

In the early industrial age, standards in family life and housing deteriorated rather than progressed. What we are trying to do in England is to get back to the cottage and garden type of housing. . . . Such housing allows for the growth of individuality and imagination. [30]

These attitudes did not simply come from professionals in the housing and planning movements, but also from a wide variety of officials and businessmen who in one way or another had to cope with some aspect of working class housing. For example, the 1908 Report of the Registrar General of Ontario referred to the housing problem in the following terms:

There are so many other lines upon which improvement can be made, such as the housing of the poorer classes, preferably in detached houses or cottages, the preventing of overcrowding, and I would go so far as recommending legislation to prevent, under certain conditions, the erection of the tenement. They are a

damnable architectural invention, and their erection should be carefully considered. Space is what we require, so that fresh air and sunlight might be enjoyed by all. [31]

If, as it appears, widespread agreement had been reached on the need to regulate the spread of tenements and provide individual detached housing in suburban settings, how was all of this to be achieved? What was standing in the way of implementation? Once again, we find the experts re-defining the urban problem and its solution without questioning the market system in which the problem arose. The problem which prevented better working class housing was ruthless land speculation which forced the cost of land and housing beyond the reach of the working class. The planning solution best able to deal with this problem was the "suburban solution" -- regulation of new subdivisions and the regulation of speculation.

In trying to find a method of providing reasonably priced, sanitary housing for masses of working class immigrants who were streaming into the country during the boom years, regulation of new subdivisions became the most widely accepted approach. Curbing urban growth in general certainly had no appeal and attempts at establishing civic supported housing projects had fairly limited appeal and even more limited success. Also, the attempts by public health officials and social welfare workers to intervene in the moral

habits and daily routines of residents in existing urban slums were not very effective. Redevelopment seemed too costly and involved the problem of relocating existing residents. Thus, regulating and improving the method of subdividing new land, especially for residential uses, became the most widely accepted "solution" to the housing problem and the popular goal of planning legislation advocates.

As John Weaver noted in his study of the urban reform movement in Canada,

reformers ranging from medical authorities to clergymen claimed for suburbs the status of a social remedy. The free market in property, complemented by public transportation, could resolve the housing and health crisis. Old slums would vanish under demolition for naturally expanding business and industrial facilities. . . . In short, the suburb would render substantive social change unnecessary by operating as a natural agent for improvement when the poor and the newcomers became proper middle-class citizens. [32]

The suburban solution became all the more important after the real estate boom collapsed. Municipalities immediately began facing serious fiscal problems when their tax base ceased to grow, and when many of the speculators defaulted on their municipal taxes, unable to make a profit any longer. The population continued to increase, and the demand for infrastructure continued to grow: i.e., sewer and water systems still had to be completed and updated, streets paved for the increasingly numerous automobiles, and so on. The municipal financial crisis lasted roughly from 1913 to

1923. World War I dashed any hopes of a new wave of immigration capable of reviving real estate activity.

Under these conditions, regulating subdivisions in the public interest became all the more attractive because it cost very little. Administrative regulations were a lot cheaper than redevelopment projects and, in any case, redevelopment was considered too slow a process. As Dr. Charles Hastings, Toronto's Medical Officer of Health, pointed out, "To attempt to solve the slum problem by any attempt at renovation would be as useless as to attempt to purify a cess-pool or privy pit by pouring into it the contents of a bottle of cologne or lavender water." [33] He argued that the first step was to "secure efficient housing and town planning by-laws" and the second, to create efficient transportation facilities. "Our ideal must be PREVENTION, not CURE. We can scarcely hope for people to rise much above their environments. Environments leave their indelible record on mind, soul and body." [34]

3.3 Thomas Adams and the Town Planning Branch

This attitude led Canadian advocates of planning to turn towards Britain, not the United States, for expert advice on implementing this "suburban solution". And it is here, with regard to professional advice to the planning movement, that the Commission of Conservation played a key role. Its

Public Health Committee, under the direction of Dr. Charles Hodgetts, was already a major factor in promoting planning. During the peak years of the boom, Hodgetts, as well as other members of the Commission, recognized that it was time to take action. However, there were no experienced Canadian planners.

In his fourth report on public health in Canada at the 1913 annual meeting of the Commission of Conservation, Hodgetts recommended that the Commission sponsor

a national housing and town-planning congress at Ottawa and secure, if possible, the attendance of one of the officers of the Local Government Board of Great Britain charged with the administration of this particular branch of the Board's work. [35]

Hodgetts stated that such a conference would help ensure that housing and planning efforts across the country would be better coordinated and that the various "interests concerned in this important movement would co-operate with a national association -- the Commission of Conservation -- with a view to the giving of illustrated lectures upon the question." [36] The official at the British LGB who was best known to Canadians was its director, Thomas Adams.

During 1913 serious efforts to obtain the services of Adams were already underway. The Commission of Conservation spearheaded efforts to invite Thomas Adams to visit Canada and offer advice on how to provide "sanitary houses for working-men, a need which is probably one of the greatest of our growing country." [37] Sir Edmund Osler, speaking at the 1913

Annual Meeting of the Conference, referred to Adams as the one person he saw at the 1911 U.S. City Planning Conference "who apparently had very sound and business-like ideas on the subject of housing and town planning." [38] Hodgetts stated that "Mr. Adams is the one man in England who has had to meet with and grapple with the difficulties that we have to-day." And Frank Beer, President of the Toronto Housing Company, added, "We believe that Mr. Adams will be able to guide us on points upon which we are seriously disturbed." [39]

There was enthusiasm in seeking out Adams' advice because of the belief that he had the most relevant experience for dealing with the housing problem. As Osler stated:

The housing question in our cities is, as we all know, a very difficult matter. The cost of land has risen, the cost of building is high and we have not the organization for properly directing the layout of the districts where workingmen's houses should be built. Mr. Adams has spent his life-time at this work and it is thought that a great deal of good would be accomplished if we could get him here. [40]

A resolution was passed requesting that Canadian Prime Minister Robert Borden ask the British government to permit Adams to attend a planning conference in Canada and to go on a major cross-country speaking and consulting tour -- something the Prime Minister was more than happy to do. A number of business and civic reform organizations also sent petitions to the Commission of Conservation in support of obtaining the services of Adams. These groups included business interests

such as the Canadian Manufacturers' Association and the Hamilton Board of Trade, civic reform groups such as the Union of Canadian Municipalities, the Canadian Public Health Association, the Montreal Parks and Playgrounds Association, the Union Committee of Charitable Organizations, and several other equally prominent groups.

The British did not, however, grant this initial request. The Town Planning Branch of the Local Government Board, in reply to Prime Minister Borden's official request, stated that they could not spare Adams. But during 1914, the Commons was finally able to obtain Thomas, not simply for a brief visit, but as its full-time town planning advisor. The Commission, in order to further promote planning in Canada, decided to host the Sixth National Conference on City Planning, an American conference held each year in a different city. Thomas Adams was the representative sent by the British government.

The conference was held in Toronto in May, 1914, and was one of the most successful to date. About three hundred delegates from seventy-four cities attended. [41] Major planning notables from the United States, such as Frederick Law Olmstead, Jr., Lawrence Veiller, Alfred Bettman and Henry Hubbard addressed the conference. The Governor General of Canada gave the opening address and Canadians from across the country were in attendance. The Canadians who addressed the

conference included Clifford Sifton, Chairman of the Commission of Conservation; Robert Gourlay, of the Toronto Harbour Commission; J.H. Burland of Montreal, Chairman of a committee which prepared a draft Canadian town planning act; and government officials from Ontario, Saskatchewan, and the Federal Government. [42]

As a result of the enthusiasm generated by the conference, the Canadian delegates met and passed a resolution urging that the Commission expand its planning activity by creating "a special Bureau of City Planning and Housing. . . to act as a Central Body to encourage and co-operate with provincial or other housing and town planning bodies." [43] Two of the delegates, J. Hynes of Toronto and W.H. Atherton, Executive Director of the Montreal City Planning League, were appointed to present the motion to Clifford Sifton. As a result a Town Planning Branch of the Commission's Public Health Committee was established two months later. In addition, after another request to the British government, the Commission was able to secure Thomas Adams on a three-year contract to serve as Town Planning Advisor and head of the newly created planning branch of the Commission. [44]

The civic reformers who had been promoting planning were, of course, extremely happy to have finally obtained Adams as their planning expert. The influential Atherton, writing in the Canadian Municipal Journal, pointed out that

Adams was well known to North Americans as "no visionary but a practical man of executive ability" who had been "in the foremost rank of the English movement" and whose "conception of the scope of city planning has been pronounced solid".

Atherton also approvingly referred to Adams' opposition to the city beautiful approach to planning, noting that Adams had even been helpful in changing "the views of American City Planning from that of the promotion of the 'City Beautiful' idea to that of the 'City Healthful, Efficient and Comfortable': not beauty and elaborate civic centres, but substantial and hygenic surroundings for the toilers of the cities."

[45] Conservation of Life, the official journal of the Commission of Conservation, also praised Adams, stating that the Commission

has secured the services of one who is considered as the highest authority upon the subject, perhaps in the world. . . . He brings to his duties great knowledge and depth of sympathy and a width of outlook, coupled with a wealth of experience in all matters which eminently fit him for a task of such enormous magnitude. [46]

It is important to note that Adams was selected by Canadian planning advocates because of his approach to planning. There were numerous very well known and very experienced American planning experts, yet Adams was specifically sought. One reason was that Adams was the British government administrator in charge of implementation of the British 1909 Town Planning Act. That Act was focused on

planning the suburban fringe of cities. It contained no provisions for the central city. The 1909 Act was well publicized in Canadian municipal affairs periodicals. In 1912 New Brunswick and Nova Scotia adopted virtual copies of the 1909 British Act and in 1913 Alberta did the same. [47] The British legislative approach, focusing on improving the quality of new suburban residential areas, addressed itself to the Canadian interpretation of the urban problem. One article on the British Act, published in the Canadian Municipal Journal, made this point very clearly.

It is a purely town planning act. It is not a city planning act. It has but very few and small powers of demolition. It is not so very much concerned with the internal economy of our present towns as the saving of our suburbs and our suburban districts from spoilation by the building speculators. It is a town planning act in that sense. [48]

In addition to the role Adams played in administering the British planning act, Canadians also had a chance to see and hear him on his occasional speaking trips to North America. The 1911 National Conference on City Planning held in Philadelphia is a good example of the attention Adams and the British approach to planning attracted among Canadians. Raymond Unwin attended the 1911 conference with Adams. Both of them advocated the same approach to planning, focusing on housing and suburban planning.

Unwin pointed out how important good homes are:

We have come to the conclusion, also, that the city is really based on the homes of the citizens. . .only

when the homes of the people are satisfactorily healthy -- when they are healthy to dwell in, convenient in access to their work, and when they are surrounded by the reasonable amenities of life -- it is only then that there can naturally spring up that beauty and glory of the central parts of cities, that beauty of fine architecture...and other art which has been in the past, apparently, the natural course of events that should follow on the growth of a great city. [49]

His talk was aimed at the American audience, because of their focus on the city beautiful approach. Adams pointed out the difference between the American and British approaches:

There is a great difference between the 'city planning' movement in America and the 'town planning' movement in this country. Whereas 'town planning' in Britain -- as it is understood and expressed in the Town Planning Act -- is chiefly concerned with the future control of undeveloped areas in expanding towns and growing urban and rural districts, in America 'city planning' has meant in the past propagation of ideas for creating civic centres, for improving existing means of transport and traffic routes, and for establishing elaborate systems of parks and playgrounds. [50]

Adams pointed out that in his travels in American cities he found the general object of planning to be an attempt to "recreate...areas already developed", rather than establishing measures to properly control new development. Americans, he noted, considered suburban development only incidentally in connection with the establishment of parks, the linking of park systems and the extension of radiating boulevards. "In brief," Adams wrote, "American city planning scarcely concerns itself with housing conditions, and devotes itself almost '

exclusively to the creation of the 'city beautiful'." In following such an approach, Adams felt the "more vital and urgent questions are neglected" and that Americans were leaving "untouched the most important questions relating to the home life of the people." [51]

The speeches by Adams and Unwin received a fair amount of attention in Canadian periodicals. Reports referring to Adams appeared in the Canadian Municipal Journal and the Engineering and Contract Record. [52] An editorial in the Canadian Municipal Journal praised the highly practical approach the "distinguished experts from England" had towards planning. "The English speakers insisted on the pressing importance of housing; of planning suburbs and outlying growths on sane and reasonable lines" whereas "the American idea. . . ran rather to the magnificent improvement of existing conditions by plazas, avenues and civic centres." [53] In addition, Adams' address to the Conference was published in full in the Canadian Municipal Journal. [54]

It is no accident, therefore, that Canadians sought the advice and assistance of Adams. This was not a matter of simple preference but grew out of specific Canadian conditions and the relevance to them of the British approach. This enthusiasm for Adams is also important to note because, once he began work as the Town Planning Advisor to the Commission of Conservation's Town Planning Branch, he found a lack of

enthusiasm for his proposed planning legislation among several of the provinces, and especially Ontario. Adams arrived in Canada in October, 1914. By this time the real estate boom, which had given a high profile to urban problems, had ended. The planning movement lost the active support of the business community. It did not oppose planning per se. Rather, there was simply no clear need for planning legislation when so little new urban growth was taking place. This attitude towards government initiatives had some parallels to the development of public health legislation. Very rapid urban growth was the stimulant for the town planning movement in the same way that cholera and other major epidemics were the stimulants for the public health movement. Most people felt there was no need for public health legislation or land use planning until epidemics and rapid urban growth created problems of critical proportions. Afterwards, these functions became permanent, institutionalized aspects of the governments' operations, and were generally recognized as necessary. But when urban problems were no longer so pressing, the influential lobby in favour of planning legislation also withdrew its support. The war had virtually ended immigration and created conditions which suppressed labour unrest. The only strong lobby for planning which remained came from middle class professionals, who continued to advocate the implementation of a wide range of land use planning measures.

Chapter 3 Footnotes

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PART II

ONTARIO'S EARLY PLANNING LEGISLATION

Chapter 4

Adoption of Ontario's First Land Use Planning Legislation

At the turn of the century, urban development in Ontario proceeded without any significant public regulation. There was no provincial land use planning enabling legislation until 1912. Ontario's Municipal and Public Health Acts provided authority to regulate the construction of buildings (through building codes and fire bylaws) and to prohibit potential public nuisances (through noise and health bylaws). Otherwise, builders could do as they wished where they wished and were only limited by market demands, the availability of public utilities and whatever private restrictive covenants existed on specific plots of land. As long as Ontario's population was primarily rural and as long as its cities were few, of moderate size and expanding at a relatively slow rate, there was little need and even less demand for regulation and coordination of urban development. With the pre-WW I urban real estate and population boom, attitudes towards this laissez-faire approach began to change. During the 1910's Ontario adopted two land use planning acts and initiated its first housing program. However, the public role in regulating urban land use did not change very much. Urban conditions

during the boom years caused a great deal of public concern in the larger cities of Toronto, Ottawa, Hamilton and London, but at the end of the decade a large gap remained between what was advocated by various reformers and municipal officials and what was adopted and implemented.

4.1 Ontario's 1912 City and Suburbs Plans Act

Since the "suburban solution" was viewed as the best approach to urban problems of the day, a successful effort was made in Ontario during the peak of the real estate boom to obtain legislation enabling the larger municipalities to regulate new subdivisions within and immediately outside their boundaries. It is interesting that the legislation sought related only to regulation of subdivisions, not to any broader planning authority. This was occurring throughout the country. Because of the general agreement with respect to problems caused by ruthless suburban speculation and inefficient subdivision design, subdivision control regulations were adopted in most provinces.

However, this did not satisfy the professional engineers, public health officials, architects and other middle class professionals who formed one wing of the town planning movement. This wing of the movement sought more general planning enabling legislation, with subdivision control only one aspect of "town planning". The other wing, composed of

local businessmen, did not want to see state activity go beyond what was necessary to cope with the immediate problem at hand. This second group had greater political clout in provincial legislatures and municipal councils and were generally more successful than the middle class professionals.

That the middle class professionals were less than happy with the 1912 City and Suburbs Plans Act is made clear by the opinions Thomas Adams and Charles Hodgetts had of the Act's significance. Adams did not even consider it a planning act. In a 1915 letter to the British Town Planning Review summarizing planning activities in Canada, Adams stated that: "No town planning act has been passed" in Ontario, but that "certain powers are given to the Municipal and Railway Board under the 'City and Suburbs Plan Act' to supervise the subdivision of land within five miles of a city having a population of not less than 50,000 inhabitants." Adams added that the Act "is of comparatively small value in securing the proper planning of even the few cities to which it applies." [1] Hodgetts felt the same way about the Act. At the 1913 annual meeting of the Commission of Conservation, Hodgetts noted that since the Act only applied to cities over 50,000, it "can be considered only as a step toward the passing of a general town-planning act." [2] He pointed out that the damage was already done during the period when a village grew into a city of 50,000 and that the act was therefore of little value. As

of 1912, only three cities, Toronto, Ottawa and Hamilton had populations over 50,000. What was needed, Hodgetts added, was "a town-planning act which is operative as soon as a town site is fixed upon, such an act to be administered along the same lines as the work of the Local Government Board of Great Britain, where the work is taken by the health authorities."

[3] In 1914, at the National Conference on City Planning held in Toronto, Hodgetts again attacked the limited scope of the Act, stating that

it does seem strange that the legislature should have deemed it proper only to pass an act on town planning relating to towns which have reached the size of 50,000. They allow the villages and towns in the Province to commit all the faults and to begin all the evil conditions which have been observed in Germany, France, Great Britain and the United States, pile them one on the top of the other, and then they say after these towns have reached the population of 50,000 they may turn back and undo all these costly mistakes. It is high time that this Province should get to work and pass a bill worthy of the Province . . . and then we would not see the city of Toronto repeating the mistakes which will make its outlines a hideous blunder on our map. [4]

The Ontario Municipal Association was also not happy with the limited application of the Act. At their 1915 annual meeting, held in the Toronto City Hall, delegates passed a resolution on "Town Planning" which stated: "That section 2 of The Cities and Suburban Plans Act [sic] be amended by striking out the words in the fourth and fifth line, 'Of the city having a population of not less than 50,000,' and substituting therefor 'of any city'." [5]

It should be noted that it was only the very limited scope of the Act that these professionals were complaining about. They worked for the adoption of an act but had hoped that more comprehensive planning legislation would follow. However, the business interests who also fought for adoption of the Act were quite satisfied with its scope. It was focused on the problem at hand and nothing else. For example, an editorial in The Canadian Municipal Journal noted that the Act

is a great advance in municipal planning and its provisions will prevent the unreasonable plans which real estate speculators have been in the habit of providing outside city limits, without the slightest reference to the plan adjoining. [6]

Harry Bragg, editor of the The Canadian Municipal Journal, stated that it was absurd to simply allow streets and lots to be developed around existing cities without any reference to adjacent streets and patterns of development. "It is quite time," he continued,

that the private landowner should be made to realize that while he may act as he likes with his land so long as it is his, when he cuts it up for subdivision, and asks the municipality to take over the streets which are necessary to make his lots saleable, those streets should be planned so as to meet the wishes of the Municipality which has to take care of them. [7]

Bragg was optimistic about the impact the Act would have. Thanks to the Act, he wrote, "such over-riding of public rights by private whims is now stopped" and that "Ontario is

to be congratulated upon leading the way in Town Planning Legislation. [8]

The Canadian Manufacturers' Association also expressed their satisfaction with the Act, hoping that its provisions could be expanded to cover the entire province, not just the three largest cities. An editorial on town planning in Industrial Canada referred to the Ontario Act and related legislation in other provinces recommending that "manufacturers should urge municipal governments to take advantage of all town planning legislation in existence in order to prevent avaricious speculators from extorting unjust prices, in sale or lease, from their employees." [9] It endorsed the Ontario Act but urged manufacturers in smaller Ontario cities to "use their influence to direct proper civic development and to prevent crooked streets, evil transportation franchises, and all the horrors of slums." It argued that prevention of such evils through planning legislation was much better than trying to cure them after the fact. [10]

The evolution of the Act is rather interesting since it came about before a well organized town planning movement had developed and because it was the first such intervention by Ontario in the urban development process. The Ontario government, therefore, moved slowly and cautiously in adopting the Act, despite its prominent backers. Part of this caution can be attributed to the fact that there was a conflict among

the major interests involved. Manufacturers and local businessmen seeking a more efficient city were on one side and the land developers and real estate interests were on the other. It seems that only the pressure of very rapid suburban growth finally led to the adoption of the City and Suburbs Plans Act since the Provincial Government showed very little interest in adopting this type of legislation in 1910, when it was first proposed. The government showed slightly more interest in 1911 when a version of the Act was actually introduced and finally in 1912 the government agreed to adopt the City and Suburbs Plan Act. This increasing willingness on the part of the government to consider planning legislation paralleled the increase in the pace of the real estate boom and the number of speculative subdivisions being created. As the problem got worse, the Government became more willing to listen to those advocating planning legislation.

In 1910 the City of Toronto first requested special legislation to allow it to regulate new subdivisions in and around city boundaries. Municipal officials were increasingly concerned about the inadequacy of existing municipal legislation. Urban conditions were changing so rapidly that they desired greater authority to act where they saw need to act. One Torontonian, for example, wrote that

the laws which govern the powers of the various municipal bodies of Ontario are mainly those of the old Municipal Act . . . [T]he power of the Cities and Towns is still unduly limited, hampering their

dealings with local affairs in many ways and compelling them every year to apply to the legislature for permission to do many things which ought to be theirs to do by right. [11]

This familiar complaint about municipal authority in Ontario was not new and has continued to the present time. In 1910 one of the chief needs for additional municipal authority was with respect to subdivisions. Specifically,

the right to lay out any necessary street extensions and also to compel property owners wishing to subdivide their land to lay out streets and survey the lots in accordance only with plans to be prepared by, or subject to the approval of, the Council or their Engineer. [12]

Because there was no precedent for a city having such authority in Ontario, the City's request "was refused as being a dangerous invasion of the rights of private property." [13] The defense used in 1910 on behalf of planning intervention in private development has since become a familiar and often used argument, and is worth quoting at length:

When the City of Toronto asked for this power [subdivision control] it was refused as being a dangerous invasion of the rights of private property. Now nothing could be more untrue. In the first place, land thus treated as private property, differs in many important respects from all the other species of property. For instance the house erected on land owes its value entirely to the human labour expended in assembling the material and constructing the edifice. Not so the land. It owes its value entirely to the presence of the people in the neighbourhood. If the number of people doubles it will not make the house of any more value, but it will certainly increase the value of the land. Now as long as this value is allowed to be retained by the private owner, it is but just that the municipality which creates

this value should at least have the control of the plotting of the land into lots when the owner seeks to realize for his own benefit the value the community bestows on his land. [14]

The principle behind this form of intervention in urban development had yet to be established in the eyes of the Government and the Legislature.

In 1911 another attempt was made to gain subdivision control legislation. A Bill was introduced as an amendment to the Land Registry Act which would have allowed municipalities to review plans of subdivision for land within five miles of the boundaries of a city. A city council would be able to object to a plan on the following two grounds:

- (a) That the location, direction and width of any street or the size and shape of any lot shewn upon the plan are objectionable in view of the probable extension of the limits of the city and the desirability of securing adequate and connected thoroughfares and highways, and
- (b) Generally grounds connected with the subject of city planning having regard to the growth of the city, convenience of the inhabitants and the due and convenient operation of services therein.
[15]

The Ontario Railway and Municipal Board would then pass judgment on the objections and could, if it wished, order that the plan be modified. [16] This act was never adopted, though it received a much more sympathetic consideration than in 1910. Ontario's Provincial Secretary, W.J. Hanna, who was the minister responsible for municipal affairs, stated his opinion

that "there was something in it" but that he would like to see the act applied to Toronto, not to other cities. [17] The proposed bill had a lot of support, as a Toronto M.D., Helen MacMurchy, who was interested in public health, noted:

Dr. J.W.S. McCullough, the new Chief Health Officer for the Province, an able, energetic and progressive official, is well known to be in active sympathy with the demand for legislation on a subject so closely and fundamentally connected with Public Health, as the Housing and Town Planning question is. The Toronto Civic Guild...may be counted on to a man to support the movement for legislation. In the Council, Mayor Geary is strongly in favour of it, and has taken many opportunities to say so and help in other ways.... Sir Edmund Walker, of the Canadian Bank of Commerce, believes in this movement. Indeed, it would be difficult to find a thoughtful man or woman who does not. [18]

As the land boom continued the lobbying effort expanded and gradually the government's initial resistance faded away.

In the 1912 session of the Legislature, in fact, two versions of a subdivision control act were introduced. Both bills were similar and both were introduced by members of the ruling Conservative Party. The one which was adopted was introduced by James A. Ellis, M.P.P. for Ottawa West. Ellis was very much involved in urban issues and was familiar with the need for subdivision control legislation. Before being elected to the Legislature in 1911, he had been an Alderman on Ottawa City Council (1901-1903), the Mayor of Ottawa (1904-1906) and Ottawa City Treasurer (1907-1911). He had also served a term as president of the Ontario Municipal Associa-

tion (1906-1907) and was one of the leaders in the move to establish the Ottawa Municipal Electric Plant in 1905. [19] The other subdivision control bill was introduced by a Toronto M.P.P., William D. MacPherson, a lawyer with no direct interest in municipal affairs. It is likely he introduced the Bill on behalf of reformers in Toronto. [20]

Both bills were referred to the Municipal Committee of the Legislature in March and on April 8 the Ellis bill was finally approved, since it contained the main provisions of MacPherson's version. It appears that the only controversial issue was whether or not plans of subdivision should be submitted to the Ontario Railway and Municipal Board or whether they should simply be submitted to the local city council. Reformers were split on this issue because, on the one hand, they wanted greater municipal autonomy yet they realized that few municipalities were efficient in handling routine administrative matters, let alone a new type of subdivision control regulation. Thus, reformers most often viewed city councils as part of the problem, not part of the solution, and centralized control was often favoured as a means of seeing that the job was actually done and that it was done "impartially", i.e., that local political favouritism did not sabotage the reform. In this case the Ellis version, referring plans to the ORMB, finally won out. [21]

The Act was very brief -- only two pages long -- and

to the point. It dealt with the problem of controlling the basic physical design features of subdivisions in and around large cities. It required anyone subdividing land within a five mile radius of a city with a population of 50,000 or more, to submit the plan for approval to the ORMB. The ORMB had the authority to make any changes it felt necessary with regard to 1) the number and width of streets, 2) the direction and location of the streets within the subdivision, and 3) the size and form of the lots. In addition to reviewing the layout of the subdivision itself, the ORMB was also required to determine whether the proposed subdivision conformed with any existing plan for the city, and, in the absence of any plan, to determine if the subdivision's layout was in general conformity with the layout of the surrounding district. When a plan was submitted to the ORMB, the Board was required to inform the relevant municipality which then had three weeks to officially file any objections. This was the only place in the process where the municipality played any role.

The Act was a direct response to the problems of haphazard residential subdivisions in and around Ontario's three largest cities and, in particular, a response to the problem of irrational street layouts. By extending provisions of the Act to areas outside municipal boundaries, the regional nature of the problem was recognized. These adjacent areas were likely to be annexed some day by the neighbouring city

and the street pattern should at least be compatible.

Today these measures seem simple enough. But since it was the first such direct intervention in the private land development process it was undertaken very cautiously. Not only did it take at least three years of lobbying but it was purposely limited to Toronto, Ottawa and Hamilton, and no other city in the province. In the first typed draft of the 1912 Act, the size of the urban zone and the size of the city the act would apply to were both left blank, and filled in only after further discussion with the government. Eventually a "five" was penned in on the original bill for the size of the urban zone and "50,000" for the minimum size of the city to which the act would apply. [22] At first the act was to be limited to cities with populations over 100,000, meaning only Toronto. [23] Both Hamilton and Ottawa had fairly active civic organizations and it is likely that their pressure convinced the government to apply the legislation to their cities. Using 50,000 as the population cut-off point was convenient. In 1911 the population of the six largest cities was: Toronto, 376,538; Ottawa, 87,062; Hamilton, 81,969; London, 46,300; Brantford, 23,132; Kingston, 18,874. [24] Why London was not included by a cut-off at 45,000 is not clear. The City of London favoured the adoption of the Act and the City Council lobbied for it. London City Council adopted a resolution in favour of subdivision control and legislation,

for example, and sent a copy of it urging Toronto City Council to do the same. [25]

As a half measure, the Act did not please very many people in the planning movement. On the matter of municipal autonomy, the Mayor of Ottawa, Charles Hopewell, told the 1912 National City Planning Conference:

I have been preaching a city planning doctrine for some years in our country, that local municipalities should be given by the state or province an unlimited amount, almost, of home rule; that is to say, that a local municipality . . . should be given the power to do its own business and to solve its own problems in its own way. I am one of those who believe in trusting the people, who know the conditions, to solve the local problems. [26]

Just what impact the Act had on subdivision activity in Ontario is difficult to determine. Since the Act only applied to three cities and only to new subdivision plans its overall impact can be assumed to have been rather limited. In addition, the Act contained a loophole whereby land could still be developed by use of the technique of "metes and bounds" which avoided the need to register a plan of subdivision. Further there was no requirement in the Act for the ORMB to refuse approval of a subdivision plan even if it did not meet the requirements of the Act. It is for these reasons that Thomas Adams and the other advocates of town planning viewed the Act as insignificant and essentially meaningless.

The annual reports of the ORMB do indicate a sharp decline in the number of subdivision plans reviewed after

1913: 1912, 154; 1913, 213; 1914, 137; 1915, 38; and 1916, 18.

[27] This declining number reflected the collapse of the real estate boom and the very low level of residential construction which took place after 1914. In Toronto, the number of new residences built declined from 4,245 in 1912 to 829 in 1916. The number of subdivision plans the City of Toronto reviewed, under provisions of the City and Suburbs Act, declined from 129 in 1912 to only 14 in 1915. [28] Thus, in terms of actual impact on development patterns in Ontario, the 1912 Act had little effect. Not only were its provisions largely ineffective but the declining rate of suburban expansion reduced the need for controlling new subdivisions.

4.2 The 1917 Planning and Development Act

The end of the real estate boom did not result in an end to the town planning movement. In fact, it continued to grow in spite of the slow rate of urban growth and the start of World War I.

It continued to grow for two basic reasons. One was the successful establishment of the Town Planning Branch of the Commission of Conservation with Thomas Adams as its director. Adams was a tireless and enthusiastic promoter of planning legislation while in his position with the Commission between late 1914 and 1921. The second reason was the decrease in the production of housing units following the

collapse of the real estate boom and the start of World War I. The housing problem, which was quite serious even when unprecedented numbers of units were being built during the boom years, became all the worse during the war, when very few new units were being built. To the advocates of town planning, who promoted planning in part as a solution to the problems of housing and social unrest, these conditions only fueled their own enthusiasm for the benefits town planning would bring -- if provinces would adopt good planning acts enabling municipalities to implement the types of land use planning reforms they felt were necessary.

As we shall see in the case of the adoption of a new planning act in Ontario in 1917, this was to be a long and difficult process. Outside of the enthusiastic circle of planning advocates, there was little interest in planning. There were simply too many other immediate pressing problems to be looked after. The institutionalization of a planning function in municipal and provincial government, though theoretically sound and practical, was viewed by the provincial government as simply too much of a change with too many unknown implications.

Due to the lobbying and organizational abilities of Thomas Adams and the few other leaders of the Town Planning Movement, three provinces did adopt planning acts between 1914 and the end of the 1920's. However, none of these came close

in content to the model town planning act Adams had drafted in 1915. Of these three planning acts (Manitoba, 1916; Saskatchewan and Ontario, 1917), Ontario's was the weakest. It was the furthest from what Adams was seeking yet it was this 1917 Planning and Development Act which would remain on the statute books for almost thirty years, until replaced by the 1946 Planning Act.

The Act drawn up by Adams for Canada was, indeed, a fairly thorough planning act. Some of the provisions still have not been implemented today. [29] The act can be viewed as radical in the sense that it would have been a totally new departure in coordinating urban development. As already pointed out, there were very few statutes on Ontario's books which intervened significantly in the building and land development process. The act proposed by the Commission of Conservation and fully supported by the entire enthusiastic army of planning advocates, would have meant a comprehensive rationalization and coordination of the urban development process.

The proposed act started out by assuming the existence of a provincial department of municipal affairs, which in Ontario, in 1916, was a very large assumption. Only after a great deal of pressure did the Ontario Government establish a Bureau of Municipal Affairs and not until 1936 was a full Department of Municipal Affairs created. For Adams a strong

central authority was seen as absolutely necessary before effective town planning at the local level could ever become a reality. Who but a central authority could encourage, advise and, if necessary, force local authorities to carry out rational planning activities?

According to the model planning act the minister of the department of municipal affairs would be required to appoint a competent "town planning comptroller" -- someone capable of serving as the chief executive officer in charge of planning within the province. Each local jurisdiction would then be required to appoint a town planning board. Each board would hire a competent expert to serve as the executive officer in charge of planning for that jurisdiction and be responsible to the planning board. This expert, referred to as the "town planning surveyor", was also to be protected from arbitrary removal -- an attempt to shield the expert from politics. The town planning surveyor would only be removed, or his salary decreased, by a unanimous vote of the local planning board. If a locality did not establish a planning board or hire a competent expert, the provincial planning comptroller would be required to do so for the locality. These were to be mandatory requirements -- not options.

The draft act contained major sections on regulation of all new development, the preparation of planning bylaws and general plans, the purchase and expropriation of land and

finally, very detailed provision of authority to the province to enforce all sections of the act in case a locality did not do so. The section containing subdivision controls was to regulate all new development, not just plans of subdivision: "...it shall not be lawful to reserve, lay out, grant or convey any street, road or public right of way, nor to subdivide or sell as lots, any property, tract of land or area, unless in accordance with plans, sections and particulars submitted and approved by the Local Board...." The act paid particular attention to the laying out of streets.

Each locality would be required to prepare, within three years of passage of the act, a set of "town planning bylaws." These bylaws were to govern all new development and were to include: establishing building lines (i.e., setbacks) on existing and proposed roads; reservation of land for future main thoroughfares; limiting the number of residential units per acre and the provision of reasonable ventilation and amenities; establishing zones within which the percent of the lot built upon would be limited "for the purpose of securing amenity or proper hygenic conditions"; establishing a full zoning bylaw "prescribing certain areas which are likely to be used for building purposes, for use for dwelling houses, apartment houses, factories, warehouses, shops or stores, or other purposes and the height or general character of buildings to be erected or reconstructed"; prohibiting noxious

trades or the building of structures with inadequate sanitary arrangements; and regulating the width of streets, with each type of street having a specified minimum and maximum allowance.

These bylaws were to be the backbone of effective town planning in each community and were to take precedence over any other bylaws, rules or regulations already in effect. One of the jobs of the provincial town planning comptroller would be to establish a model set of planning bylaws for use by localities, and of course, if no planning bylaws were adopted within the prescribed three years, the province itself would be required to impose bylaws on the local jurisdiction.

The act also distinguished between planning bylaws and town planning "schemes". A planning scheme was a more detailed plan for some specific part of a municipality. A scheme would have to conform to the general bylaws and would provide more detailed regulation of new development. The act stated that the object of a scheme would be to secure "proper sanitary and hygenic conditions, amenity, and convenience, including suitable provision for traffic, in connection with the laying out of streets and use of lands included therein, and of neighbouring lands for building or other purposes." As with planning bylaws, a planning scheme would also have to be approved by the department of municipal affairs.

In addition to those activities to be regulated by

the planning bylaws, another list of nineteen areas of concern were specified in the act as examples of activities which planning schemes might concern themselves with. It was not a mandatory list. Included were the full range of services which are necessary to make any city or town an efficient and healthy place to live and work. Some examples were: streets and tramways; buildings and structures; public and private open spaces; drainage and sewage disposal; lighting; water supply; authority to demolish and remove buildings; and provision for recouping the unearned increment in land values, that is, "Charging against land the value of which is increased by the operation of a town-planning scheme the sum required to be paid in respect of that increase." [30] The list was simply a long shopping list of items important to efficient urban development. The last point is the most interesting. It was a fairly common recommendation of reformers of that day to recommend that the public tax away any unearned increase in the value of land if that increase was the result of public activity or investment. The draft planning act would permit the local planning board "to recover from any person whose property is so increased in value one-half of the amount of the increase." [31] Reformers saw this as one realistic way of paying for public improvements -- and not some outrageous violation of the rights of private property. This same provision was in the British 1909 town planning act.

Full authority was to be given to local planning boards to purchase or appropriate any land it felt necessary for carrying out a town planning scheme. Detailed compensation and arbitration rules were included. The price to be paid for land, according to the act, "shall in no case exceed the assessed value thereof, plus 25 per cent of value, at the date when the application for authority to prepare the scheme was made." [32] The purpose of the act was to impose rational planning measures while interfering with property rights as little as possible. The compensation provisions were especially detailed and carefully took account of the various possible costs. For example,

in determining the amount of compensation to be paid for land expropriated for any purpose of a scheme, the arbitrators shall take into consideration the relative benefit and injury occasioned to any remaining portion of the owner's land by carrying the scheme or any portion thereof into effect, adding thereto, in the case of injury, an estimate for the cost of fencing such portion, if fencing be rendered necessary. [33]

In January, 1916, Adams sent a copy of this draft Act to the Ontario Government. The Commission of Conservation had published it in booklet form and in legal format. Blank spaces were left for the name of the province and the date of adoption. The copy sent to Ontario officials was annotated by Adams, deleting and/or changing sections to accommodate Ontario's governmental structure and its related legislation. Having prepared the model planning act, Adams then began an

intensive lobbying effort on behalf of it, not only in Ontario but across the country.

As part of the effort to build strong public support for planning, Adams helped organise a national Civic Improvement League. A preliminary conference was held in Ottawa in November, 1915, attended by representatives from about twenty municipal reform organizations from around the country. [34] On January 20, 1916 about two hundred delegates attended the first general conference of the League, held in a committee room of the House of Commons in Ottawa. Eight of the nine provinces were represented. Among the resolutions adopted at the Conference was one on town planning:

That the league approves of the steps being taken by the Commission of Conservation to urge provincial governments to pass town planning acts as drafted by the officers of the commission, especially in view of the necessity for securing greater economy in connection with the development of land, greater convenience in the layout of streets, and preservation of natural features. [35]

One of the speakers at the Conference was W.J. Hanna, Provincial Secretary of Ontario. In his address on "Civic Problems in Ontario", Hanna stated that he had seen the draft planning act prepared by the Commission of Conservation and found it to be "an excellent Act", although he added that, if adopted in Ontario, it would require some alteration to fit into Ontario's municipal laws "unless we wish to wipe out a great deal of the long established municipal laws of Ontario." [36]

While he did not promise that his government would adopt a town planning act, he did agree that planning would be very beneficial to towns and cities.

Many towns, I say, would be thousands of dollars ahead if at the outset proper streets, proper parks, proper sewerage, proper water supply had been insisted upon. What a saving that would have effected, instead of permitting one field after another to be tied on without system or arrangement. [37]

As to how such beneficial planning would be brought about, Hanna said it was only "a matter of educating the public's mind up to the point where...the public will be prepared to make by initial cost what will, in the end, prove a very profitable investment." [38]

Although the Ontario government did not commit itself to adopting planning legislation during the 1916 session of the legislature, municipal reformers were quite hopeful that an act would be adopted. Adams had first sent Hanna a copy of the draft planning act on January 5, 1916, at the start of the legislative session. Municipal officials from across the province, together with various business and reform groups, launched a major lobbying effort in 1915. Adams states in the Annual report of the Commission of Conservation that representatives from about 50 towns and cities in Ontario had met in conferences during 1915 and petitioned for town planning enabling legislation. [39] In addition, during 1916, some "40 to 50 municipalities in Ontario have approved the principle

and many of them have discussed the details and recommended action to the Provincial Government on the lines recommended by the Commission of Conservation." [40] The Conservation of Life reported in March 1916 that during the previous two years meetings and conferences representing all parts of Ontario had passed unanimous resolutions in favour of town planning legislation.

In no province in Canada has there been a more emphatic and widespread demand for legislation. . . . In Ontario the demand has come from representative organizations in all the populated parts, including City Councils and Boards of Trade in every large centre. The Associated Boards of Trade has unanimously adopted a resolution in favour of the draft Act of the Commission of Conservation. [41]

With such widespread support, hopes for legislation were very high during 1916. However, two weeks before the end of the legislative session, planning legislation still had not been introduced. So in March, 1916, Adams began a steady stream of correspondence with the Provincial Secretary and the Premier. During the final sixteen days of the session, Adams wrote at least seven letters -- one almost every other day -- to the government and visited Toronto several times in an effort to have the draft town planning legislation introduced and adopted. [42]

On March 29, Adams urged Hanna to adopt the draft planning act:

we are receiving increased evidence of the strong demand on the part of public bodies and representa-

tive men in Ontario to have town planning powers granted to local authorities during this session of Parliament.

He stated, as an example, that a meeting had been held in Toronto City Hall on March 24, and that a resolution was unanimously passed in favour "of some form of suitable act being placed on the statute books." The meeting included representatives of Toronto City Council, the Bureau of Municipal Research, the Civic Guild and other similar groups. Just one week previously, he added, the Toronto Board of Trade had passed a similar resolution.

In another letter, on the following day, this time to Premier Hearst, Adams urged the establishment of an official commission to "investigate the question of municipal government and to submit a report to the Provincial Government." He pointed out that in April 1914, a deputation to the Cabinet urged creation of such a commission and that "this suggestion appeared to meet with approval and the only difficulty that arose was in obtaining eligible Commissioners." He said appointment of such a committee was now urgent and the idea was supported at the meeting in Toronto on March 24. Adams added:

I respectfully submit that the appointment of such a Commission is a matter of urgent importance as a preliminary to any action which the government may contemplate in dealing with the problem of municipal government.

Hearst's reply pointed out that he had promised to

create a municipal department in 1915 and that steps in this direction had already been taken. He also explained why the government was moving slowly on the matter:

Owing in part to my serious illness and to the disturbing element of the war it has not been possible to make complete arrangements for the Department although some progress has been made. You will understand the difficulty in making progress in a matter of this kind, for not only have we the many problems arising out of the war pressing upon us, but our service in all Departments has been robbed of many of its best men

As to the idea of a Commission, names of potential commissioners had still not been received and "I understand that the deputation was to submit names for consideration." In any case, a commission on municipal affairs was never established and the matter was not brought up again in any correspondence or by other reform groups. Pressure for the creation of a municipal department did continue and in 1917 the Ontario Bureau of Municipal Affairs was created. A full department of municipal affairs was not created until 1936.

Adams again wrote Hearst on the following day, April 1, sending him an amended version of the draft town planning act, hoping that at least the slightly diluted version would be introduced. Adams stated that the revised draft

has been amended to meet views that have been expressed by representative public men, who desired that the bill should be framed on the least controversial lines. As the proposed measure is entirely permissive I hope it may be possible to deal with it this session.

Realizing that chances of enactment of the bill were becoming very slim as the legislature approached adjournment, Adams hoped that the proposed planning act would at least get a first reading in order to stimulate discussion in the event of there being any objection.

On April 5, Adams once again wrote to Hearst, this time a quick hand written letter from New York City where he was giving evidence on the "heights of buildings" question. He apologized for his "intrusion upon" the premier a couple of days earlier. "Had I known that you were to lead the debate in the house I should have refrained from interrupting you." He went on to urge the Premier to introduce the draft planning act in the current session.

The matter is one of great urgency although it does not appear so and the opinion in support of the bill is practically unanimous.

He then added that he would be in Toronto shortly and "would be glad to have the favour of an interview if the opportunity occurs."

Planning was not a very big issue among the public in general or even among provincial legislators. Aside from the vigorous support from municipal reformers, planning did not attract much enthusiasm from other quarters. While there was no great opposition to town planning during 1916, with the land development business depressed, there was no apparent or immediate need for it in the eyes of people outside the town

planning movement.

In any case, during the closing days of the 1916 Legislature, Adams was very persistent. In a letter of April 11 Adams again reminded the Provincial Secretary that: "I am anxious to come to Toronto immediately if there is the slightest prospect of anything being discussed, but I do not wish to waste time when I can do no good." Despite Adams' pressure, the 1916 session of the Ontario legislature ended without any planning legislation being introduced. The session had been concerned with other, more major and pressing problems, including unemployment, civil service reform, Ontario Hydro, prohibition, women's suffrage, the war tax and bilingualism. These issues, not town planning, dominated the headlines and received widespread press coverage.

The fact that no planning act was adopted after such an extensive lobbying effort was certainly a major disappointment for Adams and the others in the planning movement. The section of Conservation of Life, the Commission of Conservation's journal, in which Adams would list the "Progress of Civic Improvement in Canada", contained the following account of Ontario's lack of progress:

Progress in town planning in Ontario is slow, owing to the absence of suitable legislation, and keen disappointment is felt in many parts of the province that the Government was not able to introduce a Town Planning Bill at the last sitting of the Legislature. There is no province in which there is more urgent need for legislation and none in which public opinion has shown itself so strongly in favour of it. It is

hoped that something will be done to meet public demand when Parliament resumes its sittings, but meanwhile several important schemes have to be deferred. [43]

Later that year, in September, Adams wrote to the Provincial Secretary requesting a written statement on town planning from the minister. He wanted a statement to be read at a town planning conference in Hamilton, which the minister had already said he would be unable to attend. Hanna replied that he was in support of "anything which promises more efficient municipal government or which will facilitate greater land development" and that any such matters will have "the hearty sympathy and co-operation of the Government." As to town planning, Hanna stated:

The providing of proper streets, proper parks, proper sewerage, proper water supply, etc., from the outset in town planning instead of permitting one field after another to be tied on to our municipal incorporations, without system or arrangement, would mean in some cases a saving of thousands of dollars in money and untold values in the municipal life of the Province and the Dominion. I feel that it is largely a matter of the municipalities joining with the Province and with the Dominion in co-operation to a point where the public will be prepared to make, by way of initial cost, what in the end will prove to be a very profitable investment. [44]

His statement was read at the Southwestern Ontario Town Planning Conference held on October 3 in Hamilton. The conference, attended by municipal officials, city councillors and representatives from local boards of trade, adopted a resolution calling on the province to enact the draft planning act

prepared by the Commission of Conservation. [45] The resolution was officially presented to Premier Hearst on February 9, 1917. The delegation of mayors, reeves, aldermen, representatives of boards of trade, and including Thomas Adams, argued in their written brief that town planning enabling legislation "would enable greater convenience to be secured in connection with the development of land at less cost to the taxpayers and to owners of land." They stressed that planning would lead to greater efficiency and economy and would help municipalities "secure better regulations of the use and development of land, so as to promote convenience for traffic, improved conditions for carrying on industries, better sanitary conditions and protection against nuisances and the destruction of natural beauty." [46]

Finally, in the 1917 session of the Ontario Legislature, the government introduced "An Act Respecting Surveys and Plans of Land in or near Urban Municipalities". The act, known in short as The Planning and Development Act, was not, however, exactly what the reformers had wanted. They were at first pleased to hear that the act had been introduced but were then shocked to see how limited it was.

On March 19 Thomas Adams heard that a planning act had been introduced. He immediately wrote to the Provincial Secretary, who was now William McPherson, and asked for a copy of the proposed act. Upon receiving it, he asked to be kept

informed as to when the second and third readings would be given, and added that he would "consult with a few of those who have been most active in urging for town planning legislation and after doing so will venture to send you our comments upon the proposed Act." However, the bill had already had its second reading and was about to go to the Committee of the Whole House. McPherson sent a telegram to Adams on Saturday, March 24, stating that the bill was supposed to go to Committee the next Monday. On Sunday Adams wrote a quick letter stating that "the bill does not meet the demand which has been made for legislation and covers what are perhaps the least important matters" and that so many changes would be required in the bill that simply making amendments would be fruitless. He added that "it does not appear as if anything is to be gained by our proposing amendments to the measure in its present form. Your advisors do not seem to have comprehended what is required in a planning and development Act and I think that, having regard to our wide experience in the application of similar legislation, we might have been of some service in assisting to frame it had we been permitted to do so." Adams added that he would have been glad to come to Toronto if the bill only required some amendments to fix it up, but, "As it is, perhaps my best course is simply to send a frank expression of our views and express the hope that you may be able to give them some consideration."

He sent McPherson a seven page memo with section-by-section comments on the Bill's inadequacies. On March 26th, McPherson simply replied that "I have carefully perused these suggestions and am keeping them before me for reference should occasion permit." On that same day the Provincial Secretary received a telegram from Gordon Phillips, Secretary of the London Board of Trade and of the London and Western Ontario Municipal Improvement and Land Development Conference. The telegram stated that the Conference, held on December 5, 1916 in London, and composed of municipal representatives from eight western Ontario counties, endorsed the draft town planning act as proposed by Adams and the Commission of Conservation -- not the current bill before the Legislature. The proposed Bill was "entirely inadequate" and Phillips hoped that "opportunity will be given municipal representatives to point out defects." In his response, McPherson simply stated that he had "carefully noted" the views of the Conference and with reference "to your request for an opportunity for a representative to point out defects, I shall be pleased to receive a memo from you with regard to same without delay."

McPherson received another telegram on the following day (March 27), this time from James J. Mackay, Secretary of the Hamilton Town Planning Commission. Mackay stated that a special meeting of the Hamilton Town Planning Commission had been held to discuss the proposed planning bill. They con-

cluded that "the proposed bill does not adequately provide for the needs of Municipalities" and "that interested bodies be given opportunity to confer with your department before passage of bill."

Gordon Phillip wrote to McPherson again on March 29 stating that "the memorandum which we understand has been sent to you [by Thomas Adams]...covers the ground very thoroughly and we commend it to your serious consideration." However, the Planning and Development Act was adopted by the Legislature as first introduced.

As finally adopted, the 1917 Planning and Development Act was a relatively brief bill, containing only 18 sections. It was concerned with only three matters: 1) adoption of general plans by municipalities; 2) subdivision controls; and 3) the establishment of local town planning commissions. The act did not make planning mandatory nor did it force municipalities to do anything new or different if they did not want to.

The Act gave local councils the authority to adopt a general plan for all or any portion of their jurisdiction and/or for the urban zone surrounding their boundaries. Cities were assigned a five mile urban zone, and towns and villages a three mile zone. The nature of the plan was left vague and general:

Such plan shall show all existing highways and widening, extension or relocation of the same which

may be deemed advisable, and also all proposed highways, parkways, boulevards, parks, play grounds and other public grounds or public improvements, and shall be certified by an Ontario land surveyor. [47]

Its major emphasis was on the rationalization of road patterns, as the above definition of a general plan indicates. Councils could amend their plan but the plan itself and any amendments had to be approved by the Ontario Railway and Municipal Board. The Board was free to make any changes it thought necessary or proper.

Provision for subdivision control was carried over from the 1912 City and Suburbs Plans Act. The chief difference in the new Act was that the ORMB played a somewhat smaller role, though it still maintained a final veto power over any local decision. Instead of submitting a proposed plan of subdivision to the Board, as required in the 1912 Act, all such plans were required to be submitted directly to the local city, town or village in which they were located. The Act provided local councils with fairly limited criteria with which to judge any proposed subdivision. The criteria were similar to those provided in the 1912 Act and fell into three major categories: 1) the number and width of highways; 2) the size of the lots; and 3) the extent to which the subdivision conformed to any existing general plan for the area, or, in the absence of a general plan, the degree to which the subdivision conformed to the general layout of neighbouring land.

[48] Under the 1912 Act, it had been the ORMB's responsibility to assess new plans of subdivision and the locality's role had been limited to submitting its comments on the proposed plan to the Board. Under the new Act, the Board became a type of appeals court. If a locality did not take prompt action in reviewing the plan, if a plan fell into two overlapping urban zones whose localities could not agree on the plan, or if the plan was rejected by the local council, then an appeal could be made to the ORMB. The Board had complete authority in reviewing a local council decision: "The board in determining such application...may approve or refuse to approve such plan, and shall have power to order such changes to be made in such plan as to the board may seem necessary and proper." [49] Thus, the day-to-day administration of subdivision reviews was decentralized and effective control over development patterns remained with the Province through the ORMB. A local council was free only to approve subdivision plans, or to change them with the consent of the subdivider. It could not, by itself, refuse to allow a subdivision.

Finally, the Act gave localities the authority to establish a town planning commission if they wanted to. Such a commission was purely optional and the scope of its activities limited to the authority provided in the new Planning Act. A municipality could, if it wanted, delegate the city council's authority over the general plans and subdivision

reviews to a seven member planning commission. The commission was to consist of the Mayor and six ratepayers selected by city council.

In short, the scope of the 1917 Planning and Development Act was very limited. In providing authority to develop a general plan and to establish a town planning commission the Province was not initiating anything very new or very important. City councils were already free to establish a town planning commission or compile a general plan, except that they would have no legal authority beyond that already possessed by a municipality. Just how the 1917 Act expanded this authority in any meaningful way is difficult to see. Any plan had to be approved by the ORMB and any town planning commission could only administer those activities relating to subdivisions and general plans outlined in the new Act.

Under the new Act all local jurisdictions, not just cities over 50,000 in population, could review subdivision plans. The ORMB still retained complete control over local decisions, so very little, if any, real power was granted to localities. In addition, the Province itself did not take on any new powers over urban development. In view of all this, one could ask, why bother even passing such an act? The answer lies in the pressure town planning advocates, as part of the general reform movement of the day, placed on the provincial government. The province finally gave them a

planning act, but saw no need to provide broad planning authority.

4.3 Housing Activities During the War

The year after Ontario's Planning and Development Act was adopted, both the Ontario and the Federal governments initiated housing loan programs. In July, 1918, Premier Hearst announced that the Ontario government would make available \$2 million for loans at low interest rates for moderate priced housing. In December the Federal government announced a similar program allocating \$25 million for housing loans. Neither of these programs originated from demands by the planning movement. The planning movement viewed town planning as the means to good housing, and, therefore, sought to first have good provincial planning legislation adopted prior to acting on other, related issues. Improved housing, in this view, would follow from improved land use planning. However, the two governments initiated their housing programs independent of the planning movement and independent of any concerns over land use planning.

The fact that the Ontario government initiated a housing program, the first province in Canada to do so, indicates that the Conservative Hearst government, in rejecting the plea for comprehensive planning legislation, did not do so out of a dogmatic, ideological resistance to state interven-

tion in urban development. The contrast between a willingness to initiate a housing program and a resistance to a comprehensive land use program indicates the extent to which the specific conditions of the day governed the decision making of the government. If there was a clear, immediate need for intervention in a particular sector, the government was willing to intervene. If there was no clear and immediate need, as in the case of comprehensive land use planning, the government saw no need to implement such proposals.

Where then did the clear and immediate need for a housing program come from? Why would a government which had never before initiated a direct public role in the provision of housing do so in 1918? The answer lies in the impact World War I had on the economy. After the urban construction boom collapsed in 1913, the economy went into a serious recession. Unlike previous recessions, the War stimulated the economy. However, unlike "normal" recoveries, only some sectors were stimulated by the wartime economy. Most domestic concerns were neglected and the housing sector remained especially depressed. The private sector was not investing in housing to the extent it had before the recession, yet the population was still increasing, and new families continued to be formed. In addition, the labour needs of wartime industries were crowding people into urban areas across the country. All this was happening during the war. What would happen after the war

when all the troops returned home and started looking for a place to live? It did not take government very long to realize that housing, in 1918, presented a clear and immediate problem.

Statistics on the housing situation available to the government in 1918 were enough to indicate that a serious problem was developing. The number of dwelling units completed during the war years was only half that of the years prior to the war (see Table 4). At the same time the population continued to increase from 7.63 million in 1913 to 8.15 million in 1918, a total of some half million more people.

[50]

Table 4

Number of Dwelling Units Completed, Canada, 1910-1919

1910	58,100	1915	41,300
1911	70,200	1916	40,200
1912	85,200	1917	50,800
1913	82,600	1918	41,100
1914	69,400	1919	37,600

Source: M.C. Urquhart, Historical Statistics of Canada, Toronto: Macmillan Co., 1965, p. 511.

At the level of an individual city the statistics were all the more dramatic. In the City of Toronto, for example, there were 22,061 marriages recorded and 21,074 building permits for houses issued during the four years 1910 to 1913, practically one new house for every new family. During the next four years, from 1914 to 1917, however, there were 21,918 marriages recorded but only 6,334 house permits issued. In addition to this, no provision was being made for the new families moving into the city. [51] Toronto's population increased by 54,000 between 1913 and 1919 (a 12 per cent increase). [52]

Given these conditions, when proposals for a housing program were made, the Ontario government responded quickly. Ontario's program originated with presentations made directly to Premier Hearst by four groups: the Great War Veterans' Association, the Toronto Board of Trade, the Canadian Manufacturers' Association and organized labour. [53] The CMA even submitted a written report on housing to the Premier. They were concerned about working class housing. Conditions, which they considered quite grave during the boom years before the war, were all the worse during the war. Private enterprise, they said, was simply not doing the job and the government had to step in.

The working-class housing conditions in the industrial sections of Canadian cities were far from satisfactory before the war, but in the last three years they have been growing steadily worse. When

our soldiers return in large numbers this condition will be further complicated. Private enterprise, for obvious reasons, has ceased to operate in building houses to any large extent. Want of an adequate supply of new houses drives a growing population more and more into available dwellings which are unsuitable for habitation, causes overcrowding, and greatly increases the contribution which the worker has to pay for shelter. [54]

Since the government was investing in factories for wartime production it also had a responsibility to invest in housing, as the U.S. and British governments were doing, argued the CMA report.

Government factories have been erected in Canada, and no provision made to house the workers, and large war orders have resulted in private corporations greatly increasing the population of certain districts, but making no attempt to shelter that population in decent homes. Bad sanitary conditions and overcrowding have grown up as a result. [55]

Unlike the delays and half measures resulting from the lobbying effort of the planning movement for a comprehensive planning act in Ontario, Premier Hearst did not evade or even delay taking action on housing. Shortly after the four organizations urged that some program be launched an Ontario Housing Committee was appointed on June 7, 1918, "to enquire into and report upon the housing situation and to make such suggestions and recommendations as the circumstances may admit and the said committee may deem proper." [56] A month later, on July 17, the Premier announced Ontario's new housing policy. He offered to lend to municipalities \$2 million at five per cent interest for approved, inexpensive homes. [57]

About five months later the Federal government announced its own housing loan program. On December 3 the Privy Council approved a \$25 million housing loan program after a Dominion-provincial meeting at which the housing problem was discussed. The federal housing program was launched for the same reasons as Ontario's. The federal Minister of Finance reported that due "to the practical cessation of building operations during the war there is at present a great scarcity of housing accommodation in most of our cities and this condition will become intensified with the return of our soldiers from overseas and their re-establishment with their families in civil life and occupation." [58] Because housing "touches vitally the health, morals and general well-being of the entire community" the federal government decided to loan provinces money for housing at five per cent interest over a twenty year term. [59] Each province would enter into a housing agreement with the federal government to obtain the funds and a Housing Committee of the federal Cabinet was established to develop regulations for the disbursement and use of the funds. The order in council establishing the Housing Committee also included a recommendation that expert planning advice be obtained, which brought Thomas Adams into the project. The order in council, in fact, specifically mentioned Adams:

The Minister further recommends that the said Committee be authorized to secure the assistance and

co-operation of Mr. Thomas Adams, the Town Planning Expert of the Commission of Conservation, and of any other person or persons specifically qualified to advise or assist the said Committee in carrying on its work. [60]

Adams, therefore, was given an opportunity to influence the general regulations which would govern implementation of the federal housing loan program.

These regulations were published February 18, 1919 and formally approved by the Privy Council two days later. The regulations reflect Thomas Adams' concerns and basic planning philosophy. However, many of Adams' concerns were simply recommended general principles and standards for the housing program. The basic conditions required of the proposed use of the money related only to a few basic matters: each participating province was required to prepare a general housing program setting out minimum standards for the housing to be built; a maximum house cost was specified, ranging from \$3,000 to \$4,500 depending on the number of rooms; and repayment of the loan by the province was required over a twenty year period. These requirements made the administration of the program a provincial responsibility and required the province to absorb any loss on individual house loans since the province and not the individual mortgagee had to repay the loan to the federal government.

Aside from these requirements the federal government did not attach any other conditions to the nature of the

"general housing scheme" of each province nor to the type and character of the dwellings to be erected. It did, however, recommend a long list of specific principles and standards.

It is through these recommendations that Adams attempted to guide the housing program into producing well planned residential neighbourhoods, rather than just assisting the construction of scattered houses. These recommendations included: acquisition of comparatively large sites "conveniently accessible to places of employment, means of transportation, water supply, sewers and other public utilities"; proper planning of these sites "to secure sanitary conditions, wholesome environment and the utmost economy"; full servicing of land before construction of dwellings; reservation of sites for open spaces and public uses; minimum standards for street widths, sanitary provisions, water supply, and site drainage; and minimum standards for the houses themselves, such as open spaces around dwellings, ventilation, room sizes and height and type of buildings and the nature of the materials used.

[61] It was a list of those "sound planning principles" that the professional planners of the day felt were the absolute minimum to ensure healthy, economic and orderly residential development.

This list of recommended "general principles and standards", however, was largely ignored. There was little planning of complete residential neighbourhoods. The 6,242

units built throughout the country during the four year life of the program were scattered throughout 179 different municipalities. In Ontario the combined federal and provincial programs resulted in the construction of some 2,500 houses (2,200 of them detached single family houses) in 77 Ontario municipalities (17 cities, 37 towns, 14 villages and 9 townships). [62] At best, some of the houses constructed under the program were built adjacent to one another on a street or number of streets, resulting in some degree of fairly traditional site planning. There was only one major exception -- a subdivision planned by Thomas Adams for the Ottawa Housing Commission.

Since Adams lived in Ottawa he attempted to have his recommended guidelines actually implemented by the Ottawa Housing Commission, a commission set up in accordance with the Federal and Ontario housing acts. The Ottawa Housing Commission bought a 22 acre site in the city and eventually built 122 detached houses. Adams did the site plan, using the natural contours of the site and leaving scattered open spaces as mini-parks. The design was very much like many of the British "garden suburbs". The area, named Lindenlea, became an important example of successful town planning to members of the planning movement and profession since it avoided the use of standard grid and incorporated all the planning principles the movement had advocated. The hope was that planned suburbs

such as Lindenlea would prove to be so popular and such good examples of the potential of town planning, that all land developers would soon be forced to copy them. A review of Lindenlea in 1920 noted that:

Such developments are bound to have a profound effect for good throughout the country. They represent an escape from the gridiron development and give a freedom to domestic life which is spiritual as well as physical. Workers who have lived in such towns will not be content with less advantageous surroundings. Building operations must equal these developments or go out of business sooner or later. [63]

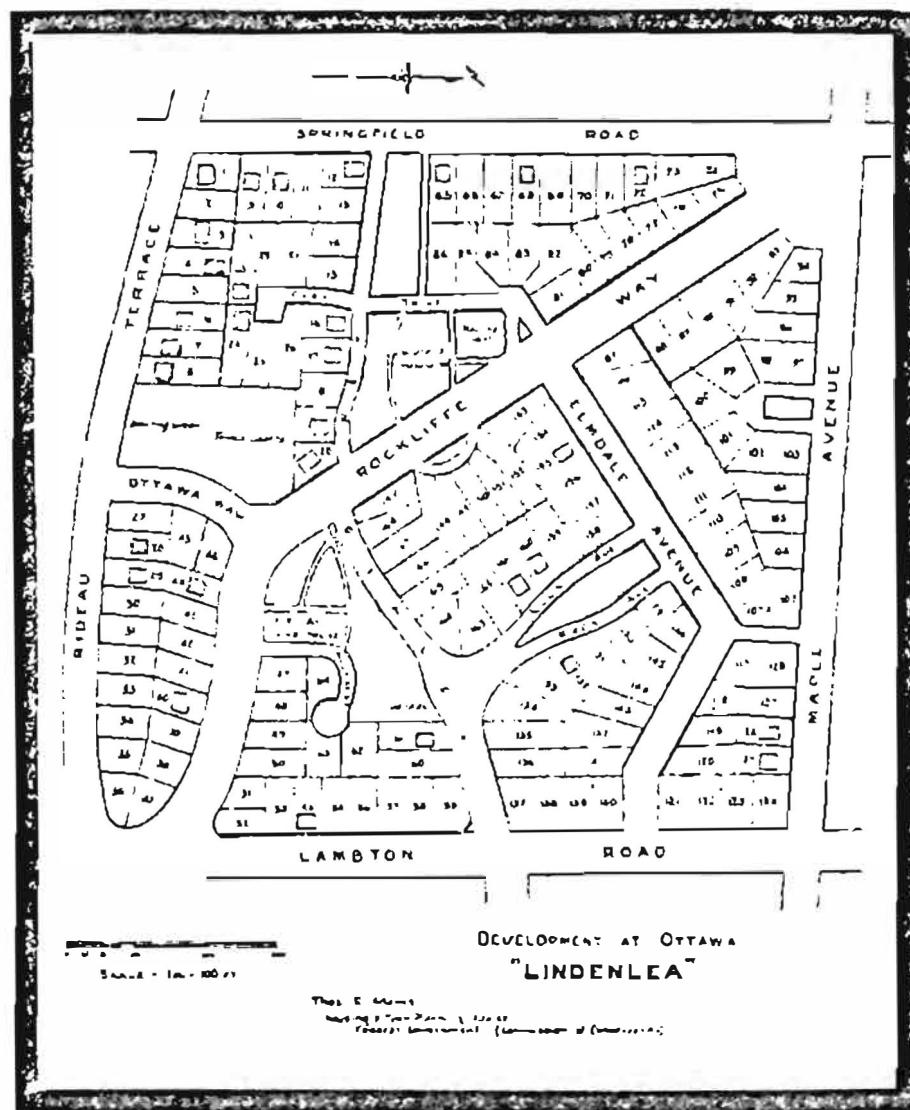
Though Lindenlea's site plan was well received by the planning movement it soon came under attack from other quarters.

Within Ottawa at least, Lindenlea became quite controversial during the early 1920's, apparently because of the mismatch of the site to the type of housing units eventually constructed on the site. The site plan itself was innovative but the housing units were the standard box type houses built for rectangular lots, and the builders had trouble locating them in any coherent fashion.

This problem arose because the Ottawa Housing Commission decided to have the houses constructed by a number of different contractors. The contracts were let in groups of ten houses each, making coordination of their siting and the quality of workmanship difficult to oversee during construction. Adams opposed this process from the start. Since he was allowed no influence on the design or construction of the

FIGURE 3

Lindenlea



SOURCE: TPCL, April-June, 1920, p. 25.

houses, he resigned from the project in protest in April, 1920. [64]

Instead of providing a successful example of planning, Lindenlea, and Adams himself, came under attack. For example during a meeting of the Ottawa City Council one Alderman went out of his way, on a question of privilege, to attack Adams and the Lindenlea site plan. Alderman Pinard said that many people regarded Adams as a faddist, that planning was just a strange fad with Adams as one of its chief promoters, and that as a result, housing matters in Lindenlea had been botched. He said the plans for Lindenlea were like a crazy quilt with the best space reserved for tennis courts and other such uses. [65] The controversy continued for a couple of years and Adams was put on the defensive, making occasional replies to his most vocal critics in letters to the editor.

[66] In one such letter Adams noted the following in his defense:

Surely if a person prepares a plan for the lay-out of streets and open spaces on a property, the most ignorant person cannot suggest that that carries with it blame for all the building development that takes place on the land which is planned, or that the plan of the land is faulty because the buildings erected on it are faulty. In a sense, however, that is what is suggested when Lindenlea is referred to as an example of the failure of town planning. [67]

He later stated that the key lesson of his experience with Lindenlea was that a site plan cannot be successful unless accompanied by architectural control over the design and

grouping of the buildings. [68] A special investigation of the problems at Lindenlea found that the major problem related to the fact that the housing program placed a maximum cost per house limit which the designers and builders could not keep. Instead, the contractors, some twenty different ones, cut corners to save money, leading to numerous construction defects. The special report did not mention the site plan as a problem or as a cause of the problems. Rather, it was simply last minute and poorly managed cost cutting that caused the problem.

A great deal of the present trouble is due to misunderstandings between the house owners and the [Ottawa Housing] Commission officials arising from the fact that the original specifications and plans were not the only basis of the contracts, but were modified in many respects to get the amounts down to a point approximating the maximum allowed under the Housing Act. [69]

Nonetheless, Adams' one opportunity to demonstrate the superior qualities of his approach to subdivision design was lost, buried in controversy; and so was the Federal housing program's only potential example of developing a completely planned moderate cost neighbourhood.

The housing program suffered yet another setback at the time it was created. The City of Toronto refused to be a part of the Ontario program, much to Premier Hearst's surprise. In developing Ontario's housing loan program Hearst had kept Toronto's housing conditions in mind. Toronto

claimed that the financial limits placed on the cost of land and the housing unit were too low and therefore unworkable. Though the financial limits undoubtedly were problematic, it seems, as Hearst himself felt, that the city's real estate interests were opposed to the program or wanted to have full control of it themselves. [70] In 1919 Toronto City Council established the Toronto Housing Commission and sought to have separate enabling legislation adopted by the Province to allow the Housing Commission to control the program locally, different from the procedures Hearst had legislated for the rest of the province.

The Province did enact the city's housing bill [71] and eventually 236 single and semi-detached houses were built. The Commission consisted of leading businessmen and its chairman, H.H. Williams, was the head of the largest real estate firm in Canada. This five man Commission appointed by the city had two goals, which proved quite incompatible. They were to operate the Housing Commission in order to help "enable men and women of limited means to secure a home" and to do so in such a way "that the city would not lose money by their operations." [72] Once it became obvious that this could not be done, the Housing Commission resigned (in 1920) and the city replaced them with civil servants who were given the power to administer the houses already built, but not to build any further units. [73] The original intent of the

program was for the Commission to have the houses constructed and then sold to people capable of making a 10 per cent down payment with a twenty year mortgage at 5 per cent. Few moderate income families could afford the down payment and those who could often had problems keeping up with the mortgage payments. In 1942 the city still held title to ten of these houses. [74] As in Ottawa, therefore, Toronto's attempt to implement the housing loan program was also buried in controversy. There was no experience in conducting and implementing public housing initiatives and the private sector bias, that is, the resistance to too large a public role in the housing market, gave rise to all sorts of problems and complications.

Compounding the political and administrative problems the housing loan program faced was the fact that the war was followed by a very sharp inflationary period in which the cost of constructing a new house, along with almost everything else, rose very sharply, only to collapse in 1921 and 1922 (see Table 5). Most of the housing built under the federal and Ontario programs was begun during the peak of the inflationary period, 1919 and 1920. The Toronto Housing Commission, for example, reported that tenders for a house built for \$3,000 in 1919 were \$4,485 less than one year later. [75] The 1920 peak in the wholesale price index, in fact, was not to be surpassed until 1950. During the peak of the 1920's pros-

perity in 1929 it stood at only 124.6. [76] It was, therefore, one of the worst possible times to build housing, much less to attempt to build good quality low-cost housing.

Table 5

Wholesale Price Index, Canada, 1914-1925
(General index, excluding gold, 1935-39 = 100)

1914	85.4	1920	203.2
1915	91.8	1921	143.4
1916	109.8	1922	126.8
1917	148.9	1923	127.7
1918	166.0	1924	129.5
1919	174.7	1925	133.8

Source: M.C. Urquhart, Historical Statistics of Canada, Toronto: Macmillan Co., 1965, p. 511.

The 1918 Ontario and 1919 Federal housing loan programs are significant, not for what they accomplished, which is indeed very little, but for the approach to government housing programs they initiated. This approach flowed out of the conditions and out of the political and economic philosophy of the time. The same key elements and characteristics of the 1918 and 1919 programs were to be present in future government housing programs, including the emphasis on individual home ownership, an opposition to government subsidies, a

recognition of the federal role in housing and the connection between bad housing conditions and potential social unrest.

Unlike Europe or the United States, where government housing programs included low cost rental accommodation, the Canadian approach did not even consider apartment buildings. The entire emphasis, for the reasons noted earlier in Chapter 3, was on homeownership and the construction of detached and semi-detached houses. This was something the planning movement, government officials and the planning professionals agreed upon. As a result, alternative approaches were never considered. The planning movement had been emphasizing "the suburban solution", low density owner occupied housing. The government was well aware of the social control potential of encouraging a property owning society as premier Hearst, in a 1918 address to the Ontario Municipal Association on "The Housing Question" noted quite clearly:

Our aim should be a nation of homes, not a nation of slums or a nation of tenements. Every thrifty workman in my view, should have the opportunity of owning his own home. The home is the starting point for strengthening and elevating our national life, and good housing conditions are to the advantage of the state as well as to the advantage of the community. [77]

This basic philosophy was fully supported by the early planning professionals, such as Thomas Adams. In a 1919 article on the housing program, Adams argued that unless good quality residential environments were created in which workers

could own their own houses, their "citizenship, their ideals, their whole attitude as social entities is transient and unstable." This was especially true of the hundreds of thousands of immigrants, many of whom brought radical political ideals with them from Europe.

To give permanence and stability to their citizenship we must try not only to Canadianize them but to localize them in an environment where home life takes on the best traditions and restlessness is abolished by the amenities of home. [78]

Adams went on to state that "we need to encourage people to the utmost to own their own homes" but that these homes must be of good quality in well planned neighbourhoods. The chief impediment to this, according to Adams, was land speculation. If land costs could be kept low, moderate cost housing could be built with plenty of open space and physical amenities. "Means should be devised," wrote Adams, "for the building of cheap but permanent dwellings on land that should not cost more than one-tenth of the cost of the home and the terms should be made easy so as not to encumber their lives with debt they cannot pay." [79]

The opposition to direct government subsidies was also a common position held by the planning movement, the government and planning professionals. As the quotes from Adams indicate, a market solution for the provision of low-cost housing would be possible if land costs could be controlled. This meant controlling land speculation and care-

fully planning new subdivisions. To the planning movement, then, land use planning and government regulations, as opposed to government control, ownership, or direct subsidies, were the long term solutions. To the conservative government the housing crisis was the most immediate problem and their housing loan program the best way of encouraging construction of low-cost housing while at the same time minimizing their own involvement. The program would be temporary and would involve loans only, not grants. Unlike Britain or other parts of Europe, there was no strong left or labour movement in Canada at the time and the government was free to take this minimum approach to the problem. The planning movement and planning professionals went along with this program because it was in keeping with their philosophy. Adams himself condemned British housing subsidies as "a gratuity to those who will live in the houses" and as "economically unsound", and found the Canadian approach preferable because it is "not like socialism -- the antithesis of individualism -- it is co-operative individualism." [80]

Another of the important characteristics of the 1918 and 1919 housing programs was the role the federal government played. Housing was one of the functions within the jurisdiction of the provinces, according to the BNA Act. Yet the problem, while having the most immediate impact on each individual municipality, was essentially national in scope. The

provinces and the planning movement agreed that the federal government ought to initiate and finance housing programs on a national basis. In part, this was simply the provinces passing the buck but it was also a recognition that the problem was indeed nation-wide and that the federal level had a much better revenue base from which to finance such programs. The way around the BNA Act, therefore, for the 1919 federal program and for all housing programs since, was for each province to simply adopt legislation enabling their municipalities to participate in the federal program. In the case of the 1919 federal program, all the provinces except Alberta and Saskatchewan adopted the necessary enabling legislation. Ontario's Premier, in fact, made it clear that in initiating the Ontario housing loan program in 1918 he was not committing the province to any permanent role in housing and that the long term solutions to the problem resided elsewhere, including with the federal government. In a letter to the Ontario Housing Committee, Hearst made clear that Ontario's housing program was "only intended as a temporary one to assist in meeting the pressing emergency -- and must not be considered as an admission of responsibility on the part of the province, or in any way relieving the federal government, municipalities, employers of labour, and citizens generally from whatever obligations may rest upon them to provide a satisfactory solution of the whole question." [81] It should

also be remembered that Hearst initiated the housing program not out of a specific interest in low-cost housing as such, but because of the conditions brought about by the war. The war, of course, was a federal matter.

In so far as the present situation has been brought about by the war, it might be considered a war problem, and that its solution, along with other war problems rested on the Federal Government. [82]

From this first housing program to the present day, housing programs have remained a federal responsibility, despite the BNA Act. The provinces have rarely initiated their own programs and at best have simply supplemented federal initiatives.

In sum, the 1918 Ontario and the 1919 Federal housing programs were simply quick responses to an urgent problem rather than conscious and deliberate policy decisions. Even though these programs did not accomplish very much they were not total disappointments to either the governments involved or the planning movement. The planning movement would have preferred more successful versions of Lindenlea's built throughout the country, but other than that, they placed their emphasis on a comprehensive approach to planning and sought to have better provincial planning legislation adopted. As the labour turmoil of the 1910's faded away and as the housing sector recovered, the government's interest in housing would decline.

Chapter 4 Footnotes

1. T. Adams, "Housing and Town Planning in Canada: Canadian Letter", TPR, July, 1915, p. 21.
2. CC, AR, 1913, p. 3.
3. Ibid., p. 4.
4. PNCCP, 1914, pp. 162-163.
5. MW, Oct., 1915, p. 201.
6. CMJ, June, 1912, p. 209.
7. Ibid.
8. Ibid.
9. IC, July, 1912, pp. 1372-1373.
10. Ibid.
11. A.C. Thomson, "Some Municipal Needs", CMJ, Nov., 1910, p. 464.
12. Ibid.
13. Ibid.
14. Ibid.
15. An Act to Amend the Registry Act, Sec. 24, Ont. Leg., Bill No. 137, 1911 (In PAO, R.G. 8, I-7-H, Original Bills).
16. Ibid., Sec. 25.
17. CMJ, Feb., 1912, p. 52.
18. H. MacMurchy, "Town Planning for Toronto", CMJ, Feb., 1912, p. 52.
19. Canadian Parliamentary Guide, 1912, pp. 307-308. For a summary of Ontario politics during this period, see: J. Schull, Ontario Since 1867, Toronto: McClelland and Stewart, 1978; Chapter 8.

20. Canadian Parliamentary Guide, 1912, pp. 317-318; 1921, p. 338. McPherson became important in terms of planning legislation a few years later. In 1916 he became Provincial Secretary in the Hearst Government and it is with him that Thomas Adams and other advocates of town planning had to deal in their attempt to have the provinces adopt a more comprehensive planning act.

21. Ontario Newspaper Hansard, March 27, 1912.
22. PAO, Original Bill #175, 1912, R.G. 8, I-7-H.
23. CMJ, Feb., 1912, p. 52.
24. Canada Yearbook, 1912, pp. 9-10.
25. Toronto City Council, Minutes, March 18, 1912, p. 110.
26. PNCCP, 1912, p. 95.
27. ORMB, AR, 1912 to 1916.
28. City of Toronto, AR of the Assessment Commissioner, 1912 to 1916.
29. T. Adams, Town Planning: Draft Act, Ottawa: CC, 1915.
30. Ibid., Sec. 13, Schedule B.
31. Ibid., Sec. 19.
32. Ibid., Sec. 23(3).
33. Ibid., Sec. 23(2).
34. CC, Civic Improvement League for Canada: Report of Preliminary Conference, Nov. 19, 1915, Ottawa, 1916; CC, Civic Improvement: Report of Conference of the Civic Improvement League of Canada, Jan. 20, 1916, Ottawa, 1916. See also: T. Adams, "Town Planning Progress in Canada", TPR, Jan., 1916, p. 213; "A Civic Improvement Organization for Canada", CL, Oct., 1915, pp. 1-6; "Civic Improvement League of Canada", CL, Jan.-March, 1916, pp. 26-33 and July-Sept., pp. 93-95; and "Civic Improvement League of Canada: How to Form Local Branches", CL, Oct., 1917, pp. 73-74.
35. MW, Feb., 1916, p. 33.

36. W.J. Hanna, "Civic Problems in Ontario", MW, Feb., 1916, p. 38.

37. Ibid., p. 39.

38. Ibid.

39. CC, AR, 1916, p. 125.

40. T. Adams, "Town Planning Legislation", MW, Nov., 1916, p. 201.

41. "The Need for a Town Planning and Development Act in Ontario", CL, March, 1917, p. 40.

42. All references to correspondence between Adams and Ontario government officials throughout this section are from: PAO, Provincial Secretary's Department, Minister's Correspondence, R.G. 8, I-1-A-1, Box 93. There are two files marked "Town Planning" which contain all the correspondence referred to here.

43. CL, April-June, 1916, p. 70.

44. PAO, loc. cit.

45. CL, Dec., 1916, p. 20.

46. PAO, loc. cit.

47. Statutes of Ont., 1917, Chap. , Sec. 4(2).

48. Ibid., Sec. 7.

49. Ibid., Sec. 11(2).

50. M.C. Urquhart, Historical Statistics of Canada, Toronto: Macmillan Co., 1965, p. 14.

51. ECR, Dec. 11, 1918, p. 976.

52. City of Toronto, AR of the Assessment Commissioner, 1924, p. 12.

53. C.B. Sissons, "A Housing Policy for Ontario", The Canadian Magazine, 53(3), p. 241.

54. "Housing Crisis Demands Government Action", ECR, July 2, 1918.

55. Ibid.

56. Sissons, loc. cit..

57. See: MW, Sept., 1918, p. 142; MW, Jan., 1919, p. 5; TPCL, April-June, 1920, pp. 39-40; and TPCL, July-Sept., 1920, p. 47.

58. Privy Council Report No. 2997, in Housing in Canada: General Project of the Federal Government, Ottawa: King's Printer, 1919, p. 5.

59. Ibid.

60. Ibid., p. 8.

61. Ibid., pp. 11-13.

62. Ontario Bureau of Municipal Affairs, Report re Housing for 1923, Toronto: King's Printer, 1924, pp. 7-8.

63. E.B. Parry, "Ottawa Garden Suburb", TPCL, July-Sept., 1920, p. 68. See also: "Ottawa Housing Commission Has Prepared Ideal Garden Development Plan", CR, Aug. 13, 1919, pp. 775-778; A. Buckley, "Government Housing in Canada", CMJ, Aug., 1920, pp. 240, 244; "Site Planning at Lindenlea, Ottawa", JTPIC, April, 1921, pp. 4-5; and S.H. Picket, "Lindenlea, Ottawa", Habitat, March-April, 1961, pp. 17-19.

64. Letter to the editor by T. Adams, Ottawa Journal, March 31, 1922.

65. Ottawa Citizen, May 7, 1921.

66. See for example CE, Sept. 30, 1924 and Ottawa Journal, March 31, 1922.

67. Ottawa Journal, March 31, 1922.

68. "Lindenlea Might Have Been Model on Original Lines", Ottawa Citizen, May 7, 1924.

69. Ontario Bureau of Municipal Affairs, Report on Housing at Lindenlea, June, 1922, typescript, p. 2.

70. See: S. Spragge, "A Confluence of Interests: Housing Reform in Toronto, 1900-1920", in A.F.J. Artibise and G.A. Stelter, eds., The Usable Urban Past: Planning and Politics in the Modern Canadian City, Toronto: Macmillan of Canada, 1979, pp. 247-267.

71. Statutes of Ontario, 1920, Chap. 145.
72. Toronto Housing Comission, Report, Toronto, 1920,
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73. City of Toronto, Bylaw No. 8603, Dec. 20, 1920.
74. L. Duncan, Report on Housing for the City of
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1975, p. 158.
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79. Ibid.
80. CC, AR, pp. 102-103, 123-131; TPCL, Oct., 1919,
p. 75; JTPIC, April, 1920, p. 11.
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Ontario Housing Committee, Toronto, 1919, pp. 25-26.
82. Ibid.

Chapter 5

The Politics of Planning and Zoning in the 1920's

The early 1920's was a period of great activity for the town planning movement in Ontario. Urban conditions were such that general public interest in planning increased and the planning movement began to grow once again. In 1921 over 300 delegates attended the first province-wide Ontario Town Planning and Housing Conference. The Town Planning Institute of Canada, which was established in 1919, began to grow and in 1921 a Toronto branch was organized. An increase in housing starts in the early 1920's renewed interest in subdivision regulation. Zoning legislation also became a widespread interest among real estate interests and homeowners seeking protection of established residential districts. In 1919 a somewhat progressive provincial government was elected, the United Farmers of Ontario. This created political conditions conducive to serious consideration of comprehensive land use planning. A special committee of the Legislature was appointed to review planning legislation and a new planning act was drafted.

In the end, however, very little was accomplished. Except for some legislation enabling municipalities to protect

residential areas, there was virtually no change in the planning function of government in Ontario during the decade. The inadequate 1917 Town Planning Act remained on the statute books with only a few minor amendments. The specific urban and political conditions contributing to serious consideration of land use planning ceased to exist by the mid-1920's. The period of prosperity in the late 1920s was too short to rekindle the level of concern that had existed prior to WW I.

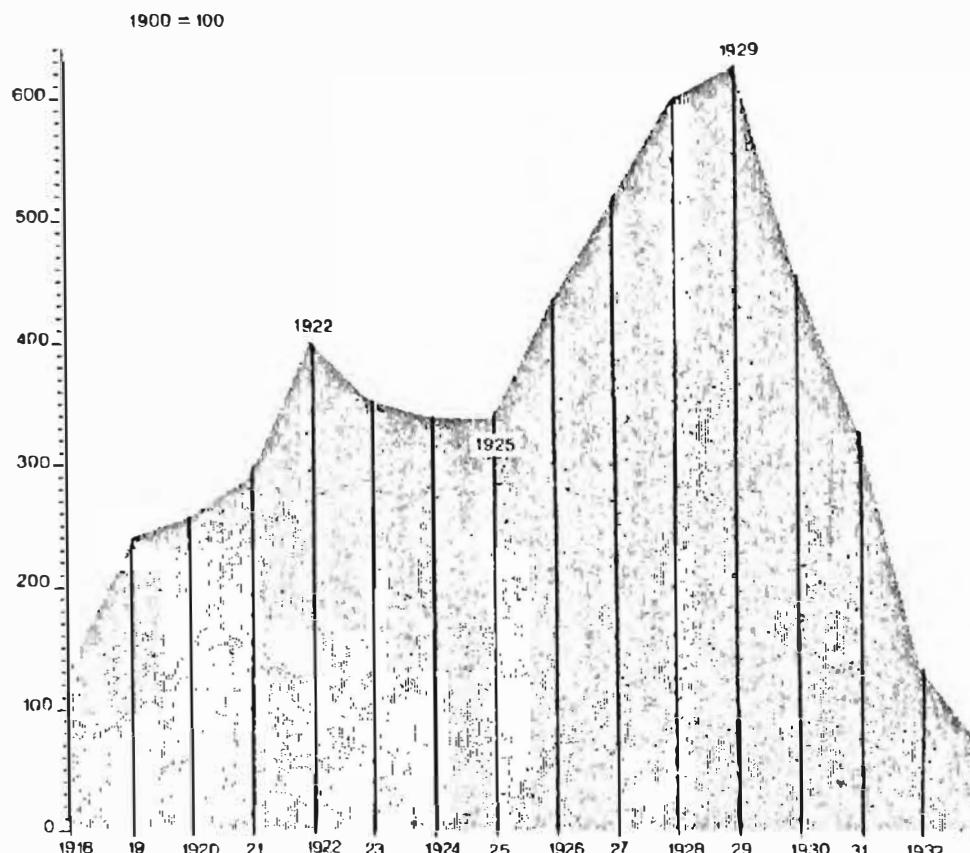
5.1 Ontario's Town Planning Movement in the Early 1920's

The rather dramatic increase in the size and activity of the planning movement in the early 1920's and its decline in the late 1920's presents, at first glance, a paradox. For it was during the peak of the pre-WW I period of prosperity, specifically 1910 to 1913, that the planning movement first emerged and received a great deal of support. Why didn't this occur in the late 1920's when there was again a peak in the level of urban building activity across Canada? (see Figures 4 and 5) In the pre-WW I period there was a direct relationship between the rapid pace of urban development and growing interest in planning. Why was there no similar relationship in the late 1920's? How can we account for the high level of interest in planning during the early 1920's?

This apparent paradox is resolved once we take a closer look at the data on urban development. The data

FIGURE 4

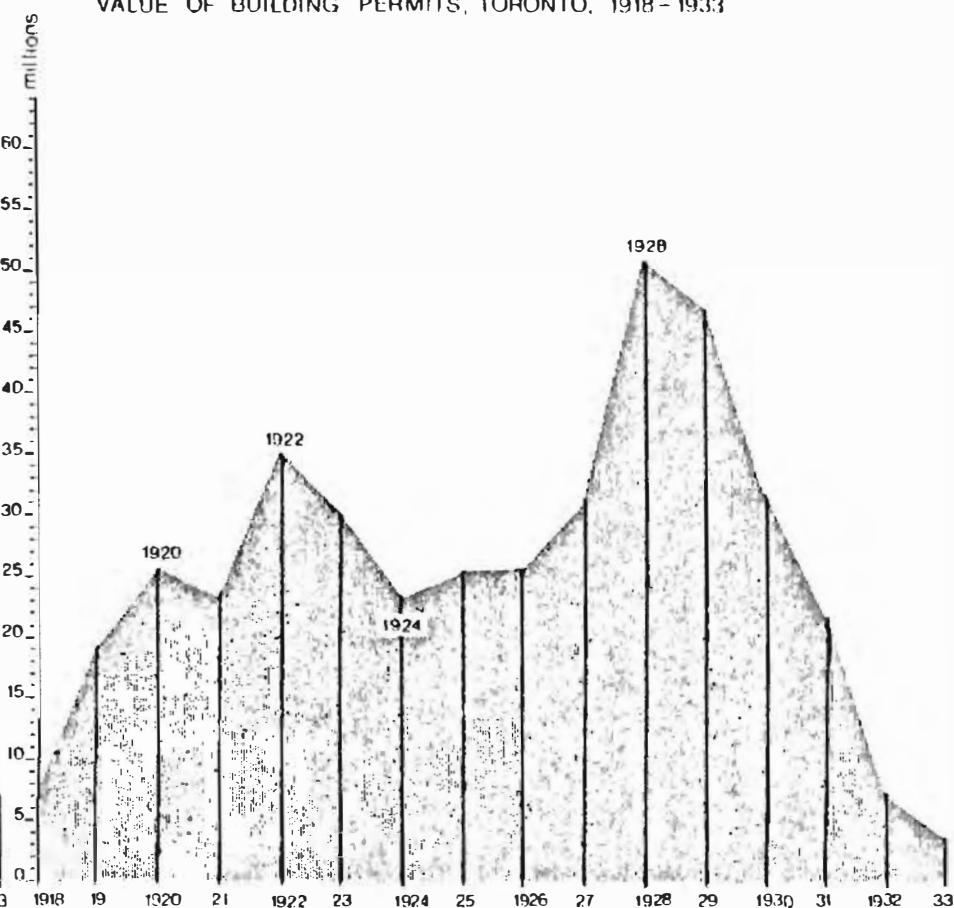
INDEX OF URBAN BUILDING ACTIVITY, CANADA, 1918 - 1933



SOURCE: K. Buckley, Capital Formation in Canada, 1896-1930, Toronto: McClelland and Stewart, 1974, pp. 223-224.

FIGURE 5

VALUE OF BUILDING PERMITS, TORONTO, 1918 - 1933



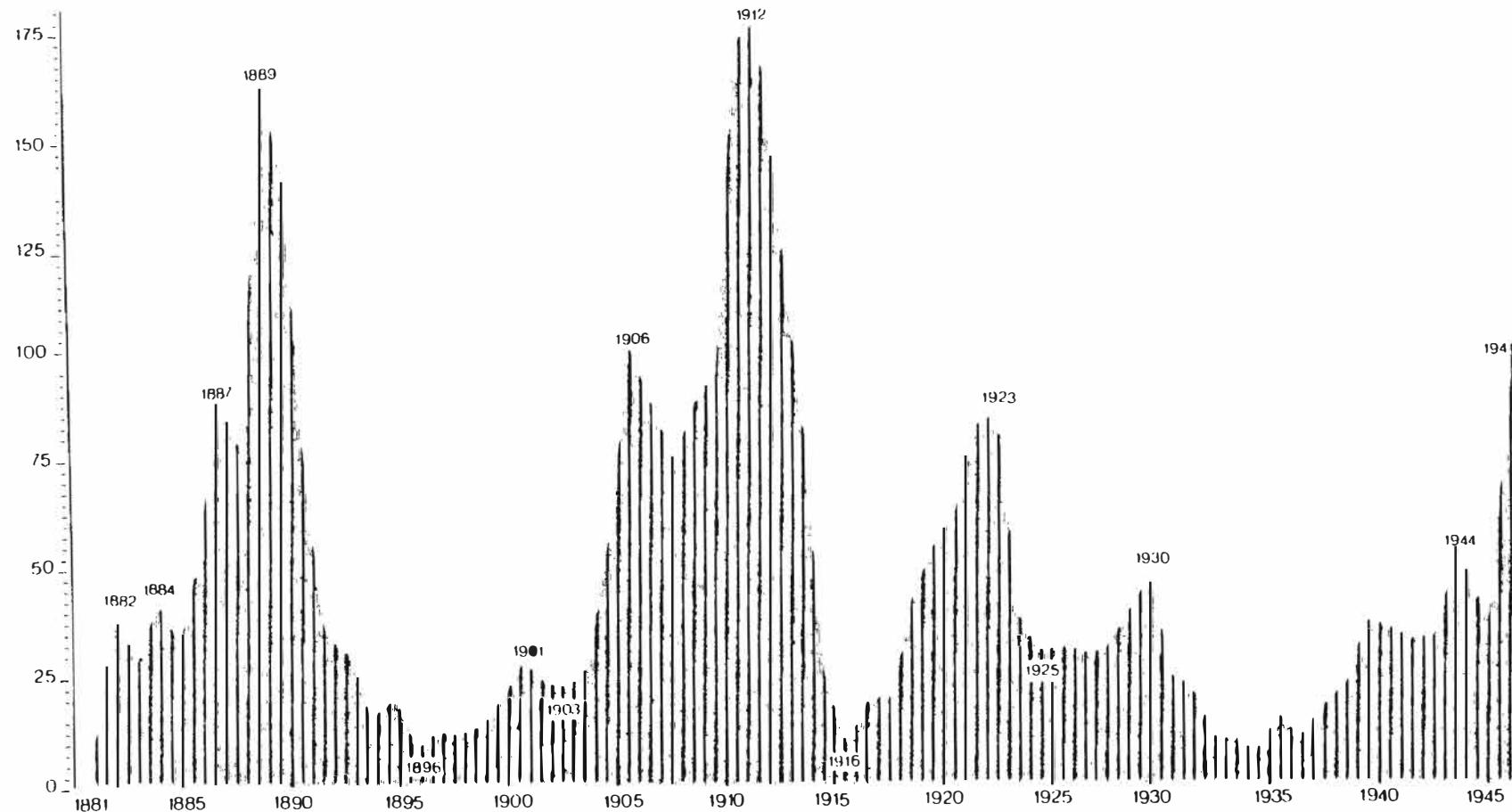
SOURCE: Canada Yearbook, 1921, p. 702; 1927, p. 466; 1932, p. 379.

included in Figures 4 and 5 on urban building activity and Toronto building permits includes all urban construction, not just residential building activity. There is indeed a relationship between the rate of urban development and interest in planning but it is a relationship in which the rate of housing starts and the subdivision of land play a primary role. In the pre-WW I period the peak in general urban development activity coincided with the peak in residential building and land subdivision. This did not happen in Ontario in the 1920's.

When we look at the level of housing activity in the 1920's we find a different peak -- one in the early 1920's. The number of new subdivisions registered in Toronto and the County of York (in which Toronto is located) reached their highest point in 1923 (see Figure 6). And as Table 6 indicates, housing starts in Toronto reached their peak in 1924. The number of new subdivisions registered and housing starts both dramatically declined after 1923/24. The 1929 peak in urban building activity was, in Ontario at least, primarily non-residential construction. In the early 1920's it was just the opposite: housing was being built but the rest of the economy had not yet recovered from the post-WW I recession. These conditions helped reconfirm the enthusiasm of the planning advocates. The original focus of the planning movement, on improved housing conditions through better regulation

FIGURE 6

SUBDIVISION PLANS REGISTERED, TORONTO AND YORK, 1881-1946



SOURCE: K. Buckley, Capital Formation in Canada, 1896-1930, Toronto: McClelland and Stewart, 1974, pp. 227-229.

TABLE 6

Housing Completions, City of Toronto
1905-1934

1905	1,566	1920	1,975
1906	2,235	1921	1,680
1907	3,174	1922	2,016
1908	2,527	1923	3,210
1909	2,020	1924	3,581
1910	3,223	1925	2,427
1911	3,311	1926	2,651
1912	4,245	1927	1,616
1913	4,081	1928	1,463
1914	4,158	1929	1,113
1915	3,304	1930	955
1916	829	1931	1,185
1917	539	1932	901
1918	743	1933	158
1919	878	1934	205

Source: Annual Reports of the Assessment Commissioner, Toronto, 1905-1934.

of suburban growth, continued into the 1920's. In fact, most of the people advocating planning in the 1920's were the same people as in the 1910's. The basic ideology of the planning movement hadn't changed although the burst of residential construction helped intensify their advocacy of comprehensive planning.

This interest in planning was reflected in the number of planning conferences, the numbers attending those conferences, and the number of contacts between provincial officials and members of the planning movement. These activities

peaked at the same time as the urban housing starts and subdivisions, both in the period 1910 to 1913 and in the early 1920's.

The Ontario planning movement received additional encouragement in the early 1920's as a result of the election of the United Farmers of Ontario (UFO) in 1919. [1] Its populist politics combined with the support of a number of progressive labour members in the legislature meant that the provincial government was more seriously considering the proposals of the planning movement. The UFO was swept into office on a wave of social unrest, both urban and rural, following the war. The UFO captured 44 seats while the Labour Party gained 11. Together they formed a coalition government. Prior to the election, the UFO held two seats and the Labour Party none. [2] The ruling Conservative Party fell from 77 seats to only 25 and the Liberal party remained about the same, falling from 30 seats to 27. [3] The election of the UFO was simply the first among many post-war elections across the country in which loose coalitions of farmers and labour were swept into office. Alberta and Manitoba also elected farmer governments and in the 1921 federal election farmers represented the second largest group in Parliament. [4]

This dramatic change in government in Ontario gave reform advocates of all types the hope that progressive change was possible. Upon forming his government, Premier Ernest C.

Drury hoped to expand the farmer base of his party, proclaiming his desire to form a "People's Party". At their first caucus Drury expressed his hope "that this political movement, which has begun as a class movement, representing farmers and labour, may expand and broaden out until it embraces citizens of all classes and occupations and becomes indeed a People's Party." [5] However, even with its largely urban based labour element, the UFO was at best a liberal rather than radical government. Because most of its elected members were inexperienced and somewhat inept, the government served only one term in office. [6] In 1923 the Conservatives were once again elected. But the election of the UFO gave members of the town planning movement great hope that they would now have support for new planning legislation.

The potential for change the UFO offered resulted from the serious class conflict of the day. Farmers saw themselves as being able to mediate between labour and capital since they represented both labour and capital rolled into one -- that is, they worked as businessmen for themselves. They felt they could therefore understand both sides of the conflict. In Social Welfare, for example, it was pointed out that the election "contains promise of interesting future developments" for better class harmony.

There should be developed out of this election in Ontario an infinitely greater measure of co-operation between town and country than has been evident in the past.... After all, the farming class in this country

could perform no greater service than as political mediators to lead labour on the one hand and Capital on the other, along the national highway to successful co-operation. In many respects, the Canadian farmer for generations will represent in himself the interests of both the labouring man and the capitalist, and therefore, primarily, ought to be able to act as a wise mediator in the solution of the industrial problem. [7]

It was conditions and attitudes such as these that encouraged advocates of planning in the years immediately following the war. One of the first recorded contacts between the new Government and the planning movement was a deputation of planning advocates to the Premier and the Cabinet in early March, 1920. The Town Planning Association of South Western Ontario (made up of representatives from Windsor, Sarnia, London, Brantford, Kitchener, Hamilton and St. Catharines) decided at their third annual convention in Nov., 1919 to approach the government directly on the question of amending the Planning and Development Act. [8] After their meeting, the Association felt that the new government was "favourably disposed to the development of Cities and Towns along well balanced lines as represented by Town Planning and that if this deputation is a sufficiently large and representative one, the object for which many of the municipalities have striven for many years will be attained." [9]

The amendments the Association was seeking were fairly modest. They sought to make the master plan more permanent by making the amending process more difficult and

they sought to change the composition of the planning commission. [10] The reason the Association did not seek more far reaching changes in the act, if not its entire replacement, was probably due to the composition of its membership. It was made up largely of the "business-elite" side of the planning movement. Most were members of local boards of trade or chambers of commerce from the smaller Ontario cities and believed planning would help make their cities more efficient and more attractive to outside investment.

As in the early 1910's, the planning movement was still composed of two basic wings: the middle class reformers and professionals; and the local business elite. Interest in planning among the reformers and professionals was fairly constant while interest among the business element depended upon some critical and immediate problem. The local business elite viewed planning as helpful in making their city more attractive to outside investment (through preparation of a master plan and street improvements) and as a means of protecting residential property values from non-conforming uses (through zoning measures). These needs, to stimulate local growth and to protect property values, meant that both wings of the planning movement were active in the early 1920's.

As a result, a broadly based planning association emerged from the first province-wide Town Planning and Housing Conference held in Toronto's City Council Chambers February 17

and 18, 1921. The Conference was jointly sponsored by the Town Planning Association of South Western Ontario and the Citizen's Housing and Town Planning Association of Toronto. Its 300 delegates discussed the full range of planning topics: the promotion of comprehensive planning in municipalities; revised town planning legislation for Ontario; municipal finance in relation to town planning; housing; and the formation of an Ontario Town Planning and Housing Association. While planning was the main focus, housing was also a major topic. Adams presented a paper on "Town Planning, the Basic Solution of the Housing Problem" and another speaker presented a paper on "Why the Workers Desire Better Homes." [12] The focus on planning as a means to improve housing conditions, and, in turn, greater social stability, was all the more relevant given the social turmoil following the war. In addition to fostering the establishment of the Ontario Town Planning and Housing Association, the conference found the following types of planning authority desirable: the appointment of a provincial town director to administer planning legislation; zoning authority as part of a comprehensive planning act, not part of the municipal act; preparation of comprehensive plans which include zoning; and the prevention of claims against a municipality for restricting the use of land so far as reasonable in the interests of public health and safety. [13] The focus was on comprehensive planning,

indicating that the professional side of the planning movement dominated the conference.

At about the same time the conference was taking place, the Ontario Legislature was busy considering a private planning bill submitted by Ottawa's planning advocates. The bill was aimed at permitting Ottawa City Council to implement the 1915 Ottawa general plan prepared by a Federal Plan Commission (the "Holt Plan"). [14] The bill called for the appointment of a Town Planning Commission to advise City Council on the implementation of the plan and would confer on the city broad planning and zoning powers. However, it did not survive the Committee stage in the Legislature. The Private Bills Committee rejected the proposal because the legislators thought that it would confer too much authority on the Planning Commission, as opposed to City Council, something planning advocates denied. [15] The Private Bills Committee also felt that adequate planning authority already existed in Ontario's statutes, making the proposed Bill unnecessary. [16]

It seems that the defeat of this bill arose more out of a misunderstanding of what Ottawa wanted than out of any hostility to planning in general. The basic conflict between the planning movement and the Legislature was over the extent to which planning should be a unique municipal function, thereby requiring special legislation and special commissions, or whether it should be an ordinary function of municipal

government, implemented only when specific problems arose. At the time the Ottawa bill was rejected, the Ottawa Journal commented editorially on this very point:

The provincial legislators are opposed to making a speciality of town planning with peculiar aims and objects of its own, entertaining the not altogether unwarranted apprehension that it might be carried to extravagant extremes. They take the view that town planning should be a part of a normal and natural community development, meeting the community's needs as they arise the same as any other department of civic activity meets them. [17]

The Legislature and the Ottawa Journal obviously did not share the enthusiasm of the planning movement for planning as the solution to many of society's ills. "Protagonists of new movements are prone to be carried away by enthusiasm," continued the Journal's editorial, "and the legislature probably feels that it is its duty to impose restraints against over indulgence." [18]

Adams, in fact, commented on this defeat in a long and angry letter to the Ottawa Journal. He stated that the problem was one of the refusal of the Ontario government to treat planning as something special, a problem he claimed arose from their complete lack of understanding of what the planning movement was after. [19] From his experience in 1916 and 1917 trying to have his draft planning act adopted, Adams had learned first hand of this form of resistance in the Ontario Government.

Personally, I had no hope that the bill would pass and predicted that to those who sponsored it. Any

attempt to get effective town planning legislation through the Ontario government is likely to meet with strong opposition because of the prejudice that exists against any attempt to legislate for town planning outside the four corners of the Municipal Act. [20]

In fact, it was not only a matter of which party was in power at the time, but also of the overall approach taken towards municipal legislation by senior legal advisors in the provincial civil service. "The law clerk of the Ontario government has consistently opposed any proposals for town planning legislation, and he possessed a power in the province which dominates governments and municipalities." [21] As a citizen of Ottawa who supported the special bill, Adams shared "the resentment against the system of bureaucracy which curbs and limits local effort and local development." [22] This echoed a resolution adopted by the Ottawa Branch of the TPIC which called the legislature's refusal to adopt the bill "an ill-timed subversion of the will of the people of Ottawa..." [23]

What the planning movement sought was a consolidation, clarification and expansion of planning authority in one comprehensive planning act which they could then urge municipal councils to implement. With no consolidated and clear legislation granting specific planning authority, it was difficult to convince a municipality that planning was actually legal. Commenting on the rejection of the Ottawa Bill, Noulan Cauchon pointed out that the aim of the bill was simply to

assist the municipal council by simplifying the legal aspects of planning.

There are no doubt many things the city council could do under the municipal act -- but the salient fact is that it does not do them. To do them in a collectively organic manner it would, on the account of the complexity of the municipal acts, have first to ask for a report on the matter by competent authority from its own officials or [retain] specialists to assist them. Now such a report by experts and the much maligned enthusiasts, is exactly what the Town Planning Commission is designed to furnish the city council for the city council itself to act upon as it sees fit. [24]

In a further attempt to deal with this problem of scattered and inadequate legislation, the newly established Ontario Town Planning and Housing Association held a second general conference "to discuss what can be done in housing and town planning under present legislation." [25] For this conference, Horace Seymour compiled a complete list of planning-related legislation on Ontario's statute books as of 1921. This was published in the Canadian Engineer [26] and as a separate pamphlet. Seymour pointed out that, in addition to the Planning and Development Act, considered next to useless by most planners of the day, the Municipal Act, the Public Health Act, the Surveys Act, the Registry Act, the Land Titles Act, the Local Improvement Act and the Housing Accommodation Act all contained bits of authority which affected land use, subdivisions and housing. These, however, were all aimed at very specific problems. The only exception was the zoning

authority contained in Section 399a of the Municipal Act (and discussed below in section 5.3).

This second conference was organized to convince the new Drury government to replace the scattered planning provisions with one comprehensive planning act. The problem was defined as follows:

At present a considerable part of the time of Ontario town planners is occupied in tracing for themselves and explaining to puzzled inquirers where the provisions of Ontario town planning are to be found. It would be an enormous boon to all students and practitioners and greatly advance the cause of town planning in Ontario if the legislature could be persuaded to embody in one simple act...all the legal clauses of the various acts that affect town planning in the province of Ontario. It is difficult to see what objections there can be to such simplified codification. [27]

The conference was attended by 65 delegates from across the province and was held under the patronage of the Lieutenant Governor of Ontario, Col. Harry Cockshutt. Mayor Thomas Church of Toronto participated as did a number of other municipal officials. [28] The conference decided to urge the Ontario government to establish a special committee to consider the problem of planning legislation. This was seen as a means of getting the government to look at the issue in detail rather than simply being asked to adopt a specific planning act. The resolution adopted stated the following:

(1) Whereas legislation relative to town planning and housing is now scattered through the Municipal Act, the Assessment Act, the Land Survey Act, the Land Registry Act, the Public Health Act, the Local

Improvement Act, the Town Planning and Development Act and its amending Acts, and several Housing Acts, and

(2) Whereas this involved and puzzling condition of legislation is retarding the progress of planning and development in Ontario,

(3) Therefore, be it resolved that the Provincial Government be asked to appoint a committee of the Legislature to consider the whole question of town planning and housing, hear representatives of the municipalities and other interested parties and bring in an early report, in view of the extreme urgency of the matter. [29]

As a result of the lobbying effort of the Ontario Town Planning and Housing Association, Premier Drury appointed a special committee of the legislature to consider the need for better planning legislation. The leader of the Independent Labour Group, W.R. Rollo, who was also Minister of Labour, was appointed Chairman of the 11-person committee. At the request of this committee the Planning and Housing Association established its own committee to draw up a draft plan for consideration by the legislative committee. The Association's committee was made up of leading planners and related professionals of the day: T.D. LeMay, the City of Toronto's Surveyor in charge of planning; H.L. Brittain, the Director of Toronto's Bureau of Municipal Research; H.L. Seymour, a planning consultant and former assistant to Thomas Adams; J.P. Hynes, the President of the TPIC; and N.D. Wilson, an engineer with the Toronto Harbour Commission. [30] A draft act was prepared and presented to a hastily called convention of the

Ontario Town Planning and Housing Association on October 17 and 18, 1922. The letter announcing the conference noted that the Legislative committee would wait until after the Association's conference in order to take into account its recommendations. "This Provincial Conference," the letter stated, "will be the most important town planning and housing meeting ever held in Ontario. Legislation will be outlined which will be a blessing or a burden to the municipalities and a help or a hindrance in the work of civic and social betterment." [31]

The conference amended and approved the draft planning act and submitted it to the special committee of the legislature. Charles Hopewell, former mayor of Ottawa and a member of the Ottawa Town Planning Commission, was chosen by the Conference to state the case for the amended act. The Journal of the TPIC noted that the draft act was designed not to threaten local councils.

It will be observed that the executive of the association in presenting their resolutions strove very earnestly to combat the idea that the creation of a town planning commission means establishment of a super-authority which will override the authority and perogatives of the city council. It is plainly stated in the fourth resolution that town planning commissions will have planning and advisory powers only and that their work will be dependent upon the approval of the local councils, and the first "principle" of the proposed draft bill is that "the municipal council must have control over the spending of the people's money. [32]

The first day of the Conference was spent reviewing the draft act. The following six resolutions were later adopted and

presented a good summary of the type of authority and the type of planning the Association was seeking.

1. Resolved that a Provincial Bureau of Town Planning and Housing be established, the executive head of which shall have the status of a Deputy Minister.
2. Resolved that all town planning schemes shall be approved by the Ontario Railway and Municipal Board and may thereafter be varied only by consent of the Board; that before town planning schemes be adopted local public hearings shall be held and that in all matters arising out of the carrying out of the proposed act Municipal Councils, planning commissions and the public shall have the right of appeal to the Ontario Railway and Municipal Board.
3. Resolved that the proposed act shall provide for two classes of commissions: (1) Local Commissions to function only within their own municipalities and (b) Metropolitan Commissions to function in metropolitan areas comprising more than one municipality.
4. Resolved that town planning commissions as constituted under the proposed act shall have on their own initiative planning and advisory powers only, and in addition that they be empowered to carry on any work upon request of the municipality or municipalities for which they act.
5. Resolved that funds for carrying on the planning work of a local or metropolitan commission shall be provided by a minimum levy of 1/10 of a mill upon the rateable assessment of the municipality or municipalities involved.
6. Resolved that every municipal council be a local town planning commission under the proposed act until a separate local or metropolitan commission has been appointed. [33]

The draft planning act agreed upon by the conference was quite comprehensive, containing all the "ideal" administrative and procedural authorities for its implementation.

[34] The draft act required the province to establish a Bureau of Town Planning and Housing which would provide planning information and advice to municipalities and to the ORMB. Municipalities would be required to establish a Town Planning District for themselves within one year and name a local Plan Commission which would be financed by a special Town Planning Rate, an additional one tenth mill assessment on all taxable property. The duties of the Plan Commission would include the planning of all new municipal investment in major infrastructure and supervision of all matters relating to streets and highways. City councils would be required to submit these types of matters to the Plan Commission for approval and would be able to overrule the Commission only with a two-thirds vote. This regulation was included because the location of new sewers, water mains and streets affected new development and city councils, which were subject to individual and special local interests, could not be depended upon to actually plan and coordinate new infrastructure. The Plan Commission would remove some of the politics from these decisions and this, of course, was not acceptable to most city councils. It was simply seen as an infringement on their jurisdiction.

The proposed planning act would also have given the Plan Commission authority to prepare a master plan and detailed local plans. All proposed subdivisions would require

the approval of both the Plan Commission and the ORMB. The ORMB would still retain its supervisory role, reviewing master plans and subdivision plans, and serving as an appeal body in controversies involving any decision of a local Plan Commission. The overall intent of the draft act was to establish a fairly powerful planning commission, while trying to minimize the amount of jurisdiction taken away from the local elected city council. This was a difficult objective to meet since a planning commission had to have a fair amount of independence from local councils, in the eyes of the planning movement, because of the short term political constraints on council members. The draft act sought to keep the independence of the planning commission limited to the coordination of physical infrastructure. But this authority turned out to be quite broad when, in order to supervise and carry out improvements in infrastructure the planning commission was even given the power to expropriate land.

The draft act was similar in content and approach to the one Thomas Adams had drawn up in 1915. One key difference was the absence of the provision for taxing one half of the unearned increment in property values resulting from some planning improvement. This provision in Adams' draft act was similar to the one in the British 1909 planning act and was intended to provide an adequate source of revenue to fund local physical improvements.

However, the attempt to have this new draft act adopted also ended in failure. Part of the reason was that the legislature was dissolved in May, 1923 and elections held on June 25. The UFO lost most of its seats, keeping only 17. The Labour Group kept only three of its seats. The Tories regained a clear majority and George Ferguson formed the new government. [35] Only five of the eleven members of the Special Legislative Committee on Town Planning were reelected and there is no record of the Committee ever writing a report or making any recommendations. The committee seems to have dissolved when the legislature did, without having made any progress.

Another reason why nothing ever came from the draft act was that it was still a very ambitious act, in spite of the Association's attempt to pacify potential opposition. Some cities felt that it would give too much power to both the town planning commission and to the Ontario Railway and Municipal Board. Toronto's legal department was among these objectors. [36] Furthermore, no city council would agree to the proposed act. [37] The Toronto Board of Trade also opposed this particular bill because of the wide powers it gave to a planning commission which was not directly under the control of the city council. [38]

Thus, both the nature of the proposed act and the fact that the special committee never completed its recommen-

dations meant that no planning act was adopted. The new Conservative government seems to have been completely indifferent to planning. The October 1922 conference of the Ontario Town Planning and Housing Association was its last. The Association simply faded away. As Table 7 indicates, there were few large public conferences or meetings in the early 1920's. Only the Town Planning Institute of Canada continued to meet annually.

5.2 The Decline and Failure of the Planning Movement

By the mid-1920's the professional wing of the planning movement was in steady decline. It no longer had the active support of the business elite because their demands had been met by the legislation protecting residential areas adopted in 1921 (this is discussed below in section 5.3). The economy had also begun to recover so that development was once again taking place. Businessmen were not interested in planning so long as urban development proceeded in their own interests. The professional wing of the planning movement lost a large part of its constituency.

A serious blow to the planning movement had already taken place with the abolition of the Commission of Conservation in 1921. Although Thomas Adams and some of the activities of his Branch were transferred to the Dominion Parks Branch of the Department of the Interior, Adams lost his

TABLE 7

Town Planning Conferences Held in Ontario,
1919-1924

1919	Feb.	Commission of Conservation, Tenth Annual Meeting, Ottawa
	May	TPIC Inaugural Meeting, Ottawa
	Oct.	Joint Conference, TPIC and American City Planning Institute, Ottawa
	Nov.	Town Planning Conference of Southwestern Ontario, Hamilton
1920	May	TPIC, First Annual Meeting, Ottawa Toronto Branch of TPIC, First Meeting
1921	Feb.	Ontario Town Planning and Housing Conference, Toronto Assoc. of Ont. Land Surveyors, Annual Meeting, Toronto (T.D. LeMay, President, planning was a major topic of discussion)
	Mar.	Toronto Branch of TPIC, First Annual Meeting
	May	TPIC, Second Annual Meeting, Ottawa
	Oct.	Second Ontario Town Planning and Housing Conference, Toronto
1922	Mar.	Toronto Branch, TPIC, Second Annual Meeting
	May	TPIC, Third Annual Meeting, Ottawa
	Oct.	Third Ontario Town Planning and Housing Conference, Toronto
1923	Mar.	Toronto Branch, TPIC, Third Annual Meeting
	May	TPIC, Fourth Annual Meeting, Ottawa
1924	Feb.	Town Planning Conference of Western Ont. Municipalities
	Apr.	TPIC, Fifth Annual Meeting
1925-1931		TPIC Annual Meetings. No record of other planning conferences.

official capacity as a promoter and advocate of planning in Canada. Between 1921 and 1923 Adams worked only part-time for the federal government, five months of the year. The rest of the time he spent as a planning consultant, mainly in England, though he did some work in Canada and in the United States. In 1923 officials of the New York Regional Plan retained Adams as their Planning Director, ending his stay in Canada. [39]

The void left by the Commission was partly filled by the Town Planning Institute of Canada, established in 1919. But the Institute, as a professional organization, never had the influence of Thomas Adams and the Town Planning Branch of the Commission. The Institute's general aim was to unite the three professions involved in planning -- architects, engineers and surveyors -- and create a new profession of town planners to promote planning in general and to regulate the qualifications of those who would call themselves planners. According to the Institute's first constitution, its objects were:

(a) To advance the study of town planning, civic design and kindred subjects, and of the arts and sciences applying to these subjects.

(b) To promote the scientific and artistic development of land in urban and rural districts.

(c) To secure the association of and promote the general interests of town planning. [40]

The most immediate aim of the Institute, as with the Commission of Conservation, was to deal with the "lack of education

in the movement". Most people simply knew nothing about planning. This public education role was seen as "the most pressing of town planning work" because all the advocates believed that planning would only be institutionalized when the public and elected officials were convinced of its importance. [41]

But the TPIC remained a small body of professionals, unable to have much impact on government. They were especially unable to have any impact on the Ontario Government. All they could do was complain, as in this excerpt from Noulan Cauchon's 1928 address on different provincial planning acts:

The Ontario Planning and Development Act is the worst of the lot. It is quite obsolete and so useless that we have to find what town planning powers we have in half a dozen other acts and this involves such arduous study that none but the most determined enthusiast will take the trouble to worry out the law. If you can help us to bring some more pressure to bear upon the Ontario Government to have the town planning powers of Ontario codified and brought under one simple, up-to-date Town Planning Act you will be doing great service both to us and to this province. Our towns are befogged and bewildered when they try to initiate Town Planning in Ontario. [42]

Even a minor amendment to the Planning and Development Act, such as a requirement that municipalities file a map of the suburban areas likely to be developed, was never adopted.

Tracy LeMay points out that:

In Ontario repeated efforts have been made, without success, to include in the Planning and Development Act a provision that each urban municipality must within one year file...a plan showing the lands which

it is desirable should constitute the Zone of each municipality for regional planning. It has been felt that this would be the thin end of the wedge and would at least bring home to the municipalities the knowledge that they had valuable Town Planning powers that could be used to advantage. [43]

LeMay approached the government once again in 1929, simply to have the province distribute a list of the various statutes which confer planning authority on municipalities. [44] At its annual meeting the TPIC decided this was the minimum the government should do to inform municipalities that planning authority did exist, even though there was no single consolidated act. The list LeMay sent Premier Ferguson contained sections from twelve different acts. LeMay requested "that the necessary authority be issued for the reprinting [of the list] in pamphlet form" as "one of the means of awakening Municipal Authorities to a clear conception of their duties and powers" with respect to planning. Ferguson refused, arguing that it would be impractical for the government to print such pamphlets for any special interests that might come along from time to time. "I agree with you that it would be very useful," Ferguson replied, adding:

I am afraid, however, that I am unable to concur in the suggestion that the Government should undertake to compile such a pamphlet. The Statutes are available and I take it that any portion of them that any particular section of the community desires to make use of should be extracted by those wanting to use them. [45]

The TPIC could not afford to publish such a pamphlet them-

selves. The Institute was relatively small and had a very limited budget. In addition, it was a national organization. To print and distribute such a pamphlet for all nine provinces was certainly beyond its means.

The important point in Premier Ferguson's reply was that although he was refusing this request, he was not opposed to planning in principle. He simply did not share the planning movement's enthusiasm. "I would not have you understand that I am not strongly in favour of the adoption of better methods of town development but I am sure you will readily see the position the Government would find itself in were it to undertake to dig out of the Statutes and compile into pamphlets legislation dealing with different phases of our municipal law." [46] This was another example of the gap between the planning movement's goals and the pragmatic requirements of existing conditions.

Further evidence that the Ferguson Government was not opposed to planning-related activity when there was a specific and obvious need for it can be found in the central area planning authority it gave the City of Toronto in 1928. The University Avenue Extension Act gave the City of Toronto extra expropriation powers until the end of 1929, allowing it to expropriate excess land adjacent to the proposed southward extension of University Avenue from Queen Street, at 1928 property values, and then resell the land at its higher value

once the extension was completed. This allowed the project to be at least partly self-financing. The Act did not come from a request by the city but by real estate and business interests. Premier Ferguson himself is said to have sponsored the bill in the Legislature on behalf of these special interests. [47]

Thus, it was only members of the town planning movement who saw the need for replacing the 1917 Planning and Development Act with a more comprehensive act. Neither Premier Ferguson, nor any of the other six premiers in office during the life of the Act, were ever convinced of the need to amend the 1917 Act. The Act remained largely unchanged during the twenty-eight years it was in force. After its initial adoption in 1917, it was slightly revised and reenacted in 1918 to clarify procedures. After that, the Act was amended only ten times, each amendment was concerned with subdivision and street layout provisions (see Table 8). These were the only two areas in which the Act had some practical application. In addition there is no record of these amendments being very controversial. Rather, they were simply minor points some municipal or provincial officials proposed as an administrative clarification arising out of everyday practice. In fact, three of the amendments (1930, 1939 and 1941) were so minor that they did not even rate their own separate amendment. They were included, along with numerous minor changes

TABLE 8

Amendments to the 1918 Ontario Planning and Development Act

1919	Required land subdividers to pay a small fee for approval of a plan of subdivision
1920	Clarified the definition of a joint urban zone; clarified sections relating to when approval of subdivisions was necessary; allowed City Council to reduce a Town Planning Commission's proposed budget if it wished.
1921	Required all proposed highways to be approved by the local council.
1924	Allowed local councils to prohibit subdivisions in low-lying or swampy land which could not be properly serviced at reasonable cost.
1926	Required any widening, alteration, diversions or closing of highways to be approved by the local council.
1929	Expanded the definition of highway to include any street, land, alley or lot serving as access to other lots in a subdivision; decreased the number of approvals necessary for a proposed subdivision located adjacent to cities over 200,000 population.
1930	Simplified approval procedure for gaining consent of a new highway in or near cities of over 200,000.
1933	Required subdividers to pay a fee to town and village councils, not just city councils.
1939	Decreased by 40% the fee to be paid by subdividers to local councils.
1941	Required councils to consider any restriction on land to be subdivided; permitted the provincial government to designate any land a "special zone"; required all subdivisions or alterations to subdivisions to be approved by the OMB.

to other existing statutes, in the Statute Law Amendment acts.

5.3 Zoning Activity in Ontario

Although the planning movement failed to have a new planning act adopted in Ontario during the 1920's, it did have some success, though fairly limited and shortlived, in the matter of zoning legislation. Unlike comprehensive planning, zoning became an issue real estate interests favoured. Its controversial element was the nature and content of zoning restrictions, not whether zoning was required. After New York City adopted the first zoning ordinance in 1916, at the insistence of downtown business and real estate interests, zoning controls quickly spread throughout the United States. [48] The number of American cities with zoning ordinances grew rapidly during the 1920's: in 1922, 73 cities; 1924, 265 cities; and in 1926 some 425 cities had adopted some form of zoning controls. [49] In Canada progress was much slower. [50] Unlike the US, individual cities had to first obtain authority from their provincial legislature before they could implement a zoning bylaw. Many US cities had "home-rule" charters allowing hem to act on issues like zoning at their own discretion.

The desire to have zoning authority placed on the statute books in Ontario temporarily united real estate interests and the town planning movement. Both saw zoning as

an important improvement in the functioning of the urban land market. Business interests saw it as a form of insurance against the possibility of property values being ruined by the intrusion of a noxious use while the planning movement saw it as a valuable tool for the implementation of comprehensive land use planning.

A speaker at a 1920 meeting of the Western Ontario Boards of Trade, for example, pointed out that zoning helped increase property values at little public expense and with minimal interference with property rights.

More values are destroyed through lack of zoning than by fire. The house owner can protect himself against the loss by fire by means of fire apparatus and insurance. There is no insurance against loss due to misplaced buildings except a zoning insurance. No city would be without adequate fire apparatus. . . . And no city can afford to be without a zoning ordinance, which, incidentally, would cost less than the fire engine. Surely the home owner is entitled to this form of insurance that covers this sort of risk.

[51]

So for less than the cost of a good fire engine, a city could help eliminate one of the irrational outcomes of the land market. Since zoning had a clear monetary implication and was focused on a clear and immediate problem, the business community joined with the planning movement in advocating the adoption of zoning legislation by the province.

Planners themselves were not hesitant to point out the commercial potential zoning controls offered in their lobbying for the legislation. Noulan Cauchon, for example, in

his President's address to the TPIC in 1924, described the importance of zoning to the "science" of town planning:

Zoning is a business proposition, it stabilizes the purpose and value of holdings, preventing their deterioration by the intrusion of business in residential areas and conversely by retaining business to commercial streets, preserves these values by preventing roving out posts that disorganize established custom or clientele. . . . At present practically all investment in city land in Canada, through lack of control, is liable to depreciation of [value]. [52]

Zoning was a valuable planning tool, argued Cauchon, because by stabilizing property values it was "conducive to economy in the design and maintenance of public services, sewers, water-mains, streets and pavements: of general civic development."

[53]

Zoning was also seen by planners as another means of helping encourage homeownership among the working class. The original focus in the 1910's on the "suburban solution" left one major problem unsolved. If workers did buy moderate priced housing in a suburb the property value needed to be protected. If there was no investment potential, that is, if people usually lost money on purchasing a home due to market irrationalities, why would a worker risk his meagre savings on a home? An editorial in a 1922 issue of the JTPIC provided this sort of argument in favour of zoning:

The time has come to recognize that people will not build homes unless they can have civic protection of their values. The statistics of the United States and Canada show a steady decline of home owning, especially by the working class. . . .

When the Chicago campaign for "Own Your Own Home" was started one of the most ardent campaigners came in close touch with the working men and was frankly told that they did not believe in owning their own home because when they purchased a home there was no civic protection of their property and they found themselves anchored to an investment which was constantly depreciating in value. The president of the Illinois chapter of the American Institute of Architects said to him: "It is no use starting an own your own home movement in Chicago without a zoning law. [54]

It was this social side of zoning that attracted the planning movement and most professional planners, whereas real estate interests saw zoning only as a means of protecting property values.

In addition, the planning movement sought to have zoning universally applied, to rich and poor districts alike. Noulan Cauchon continually referred to planning as a "technique of sociology" and to zoning as one of the techniques of planning which "ensures light and air to people as a human right, as a biological necessity", much as public health legislation ensures basic health standards.

That is our justification for a zoning by-law which prescribes how far buildings may be apart if they are designed in a certain way. If you design a family house which has windows on four sides, it has to have room to have air and light on four sides. [55]

In a similar vein a brief comment on zoning in the JTPIC asked: "How can working people be expected to 'own their own homes' if they are to be robbed of their light and air and vista by tin manufactories, junk barns, laundries and garages?" [56] The argument being made here is that zoning

should not be used simply to protect the property values and amenities of wealthy neighbourhoods. Real estate interests resisted this wider application of zoning as an infringement on property rights. They sought protection of the "legitimate" property rights of the wealthy only, to the growing concern of many planning advocates.

The history of the attitude of real estate men to the suggestion of zoning is not without instruction. First there was violent opposition to a movement designed, it was said, to interfere with the right of a man to do what he liked with his own, that is, land. Not so long ago a suggestion of zoning in one of the most charming riverside suburbs of Ottawa was defeated by the real estate men but the disintegration of the district by jumble building has become obvious to everybody and more recently a local by-law has been passed for a restricted building area where expensive dwellings are to be protected. But the town planner asks "Why not all dwellings? The homes of the poor as of the rich?" [57]

There was little the planning movement could do about this. It was simply too small and lacked political clout with the government. Still, it continued to advocate zoning as part of overall planning.

The Town Planning Institute published a brochure entitled What It Means to Zone outlining the reasons zoning bylaws should be adopted and detailing the provisions a zoning bylaw ought to contain. [58] The brochure's approach to zoning was very similar to that used today. In defining zoning, the author, J.M. Kitchen, made clear that it was a function of planning, not an independent activity.

Zoning is that function of town planning which determines the relative disposition of structure to site, detailing uses, areas, heights, intervals and the occupancy of structure with a view to assuring adequate access of air and the rays of the sun to buildings to the measure of their occupational requirements, and ensuring health, efficiency and amenity to human beings. [59]

Horace L. Seymour also prepared a draft zoning bylaw for discussion at the October, 1922 Ontario Town Planning and Housing Conference. The draft bylaw was intended "to illustrate some of the powers for the control of building development" the draft planning act would provide if adopted. [60]

Even though the draft planning act was never adopted, the Province did amend the Municipal Act in 1921 and 1922, enabling municipalities to engage in zoning activity. Among the professional organizations, it was the TPIC and the Association of Ontario Land Surveyors who were constant promoters of the provincial enabling legislation. From the larger cities of the province a variety of business groups also promoted the zoning legislation. In Toronto, the Toronto Civic Guild and the Toronto Downtown District Association (which replaced the earlier King Street Association) played a major lobbying role in obtaining the 1921 amendments to the Municipal Act. The Downtown District Association was an organization of retail merchants similar to the Fifth Avenue Association in New York City. It was the Fifth Avenue Association, fearing an encroachment of the garment district in

their high class retail district, which provided the major impetus for New York's first zoning ordinance.

The earliest form of zoning-type controls implemented in Ontario dealt with the separation of residential from non-residential uses in high income residential areas of Toronto in order to protect property values. Around 1901 a factory attempted to locate in the fashionable Moss Park area but local residents were successful in having Council petition the Ontario Legislature for authority to

enact a Bylaw regulating the location of factories and generally the location of industries and business enterprises of every kind, believing that the judicious exercise of such power will be in the public interest. [61.]

In 1904 the Provincial Legislature amended the Municipal Act to allow cities "to prevent, regulate and control the location, erection and use of buildings for laundries, butcher shops, stores and manufactories." [62] Eleven days after the enabling legislation had been given Royal Assent, Toronto City Council passed a bylaw protecting that section of the Moss Park area from non-residential uses. Additional bylaws were passed protecting other areas of the city and Toronto's system of non-residential restrictions, lasting until 1954, was thereby initiated. [63]

Gradually more and more of the city was covered by these restrictions, usually at the request of local residents. By 1954 most of the city was covered with these restrictions

except working class residential areas adjacent to industrial areas.

Considerable areas of working class housing, lying adjacent to the industrial belt, and in the inner east end, were not covered by these restrictions. Non-residential uses thus had ample land on which to expand without requiring a bylaw change. Even in those areas which were predominantly residential, pockets of unrestricted land existed, and major east-west and north-south streets were often exempted from the restriction. [64]

These non-residential restrictions did little more than prohibit certain uses from locating in the area. They did not regulate the design characteristics of individual homes, for example.

However, as the city continued to expand at a very rapid rate, the non-residential restrictions proved to be inadequate for protecting high income neighbourhoods from apartment buildings full of immigrant workers. Apartment buildings were residential uses, of course, and they were being built in increasing numbers during the boom years. In 1905 there were only four apartment buildings in the City, but by 1911 there were 68, and by 1913, 131. [65] As a result of another popular outcry from the wealthy residential districts the City once again petitioned the Ontario government for enabling legislation. Many members of the Provincial Legislature resisted interfering with the land market too greatly and the enabling legislation they adopted in 1912 was limited to cities with populations over 100,000, that is, to Toronto.

The amendment to the Municipal Act gave Toronto authority to "prohibit, regulate and control the location on certain streets to be named in the by-law of apartment or tenement houses." [66] The Act defined an apartment or tenement as any building with three or more separate units and applied not only to new construction but also to the conversion of any existing house into three or more units. City Council moved quickly to implement the new clause. On May 13, 1912 the council approved a bylaw applying the restrictions on apartment houses to most existing residential districts of the city. [67] Thus, as early as 1912, one specific form of land conflict was resolved. The restrictions rationalized one aspect of the private land market by prohibiting a minority of land speculators or builders from threatening the property values of the majority.

The zoning legislation passed in 1921 and modified slightly in 1922 allowed municipalities in Ontario to establish restricted residential districts within their boundaries. The first of the two key paragraphs in the zoning amendment to the Municipal Act provided authority

for prohibiting the use of land or the erection or use of buildings within any defined area or areas or abutting on any defined highway or part of a highway for any other purpose than that of a detached private residence. [68]

The second paragraph, which specified those aspects of residential development which could be regulated, and covered

almost everything:

for regulating the height, bulk, location, spacing and character of buildings to be erected or altered within any defined area or areas or abutting on any defined highway or part of a highway, and the proportion of the area of the lot which such building may occupy. [69]

As a result of this amendment residential zoning gained a greater degree of authority and permanency than the previous sections of the municipal act allowed. In addition, the fact that the 1921 and 1922 zoning amendments only applied to residential districts indicates the degree to which the private sector opposed public controls on land uses, no matter how many economic benefits would flow from a more rational and comprehensive approach to the problem. The high income residential areas were under a very clear and immediate threat, so finding sufficient support for residential zoning alone was not very difficult. As we have seen, a proposal for much broader zoning and planning authority made by reformers and public officials in Ottawa was never adopted. The zoning legislation which was adopted was an altered and toned down version of proposals made by the Toronto Civic Guild. [70]

Authority to adopt much more comprehensive zoning bylaws did not come until 1924. An amendment to the zoning section of the Municipal Act replaced the words "for any other purpose than that of a detached private residence" in the first paragraph with the words "except for such purposes as

may be set out in the by-law". [71] This finally allowed municipalities to regulate the "height, bulk, location, spacing and character" of any type of building and to establish districts limited to specific land uses, not just residential uses. The key word in the act now became "location". With the authority to regulate the location of any land use in a given district, municipalities could now adopt, with the approval of the Railway and Municipal Board, as full a zoning bylaw as they wished. This authority was no longer limited to the location of detached private residences.

This amendment came about largely through the efforts of civic groups in Kitchener and Waterloo. They convinced the city councils of both cities to pass resolutions instructing their solicitors to obtain, by either public or private act, wider zoning powers. At a town planning conference of Western Ontario Municipalities held in Kitchener on Feb. 15, 1924, the following resolution was moved by the mayor of Guelph, seconded by the Mayor of London, and adopted by the conference delegates:

Resolved that this conference endorse the application of the city of Kitchener and the town of Waterloo to the Provincial Legislature for an amendment to Section 399a of the Municipal Act, and that the conference delegates ask the councils and chambers of commerce of the municipalities which they represent also to endorse these applications. [72]

During the following month delegates from Kitchener and Waterloo made several trips to Toronto to promote passage of the

zoning bill which was introduced by the MPP from Waterloo. In addition, both the Toronto Real Estate Board and the Toronto Civic Guild joined in the lobbying effort. In April the Provincial Legislature finally adopted the zoning amendment.

[73]

With fairly adequate zoning enabling legislation on the statute books, one would expect to see municipal adoption of zoning bylaws. However, this did not happen. The professional wing of the planning movement encouraged the preparation of comprehensive zoning bylaws based on long range land use planning while business interests sought only those measures necessary to cope with the immediate problems in the land market. Business interests fairly unanimously feared comprehensive zoning bylaws as too great an intervention in the land market.

There seemed to have been two major problems constraining the spread of zoning in the province. One was simply the fear that comprehensive zoning represented too great and too unwarranted an intervention in the private land market. The second was the fear among municipal officials that they would be handing over too much of their local autonomy to the provincial government, since the ORMB would have to approve any zoning bylaw and also any amendments to that bylaw. The Toronto City Council avoided adopting a zoning bylaw, fearing anything but the most malleable form of zoning

and fearing also the potential loss of control over development to the provincial government. Thus, Toronto did not initiate or prepare a comprehensive zoning bylaw but adopted some two dozen bylaws, restricting land use in various sections of the city after requests for such measures were received from interested parties. By this means, the City retained control over land use regulation without having to deal with the ORMB and was free to change its decisions whenever it wished. The difficult task of preparing a comprehensive zoning bylaw was likewise avoided. [74]

London, Ontario followed a similar route. After reformers had been actively promoting planning and zoning for about ten years, the London City Council voted in 1930 not to adopt a zoning bylaw which had cost \$10,000 to prepare. London's active involvement in planning began with the hiring of Thomas Adams as its planning consultant in 1922. [75] But after a great deal of promotional activity the City Council rejected the proposed zoning bylaw apparently, as the JTPIC put it, "to secure 'self-determination' or to escape from the control of the Ontario Railway and Municipal Board." [76] The Mayor of London stated that: "We are trying to accomplish the same object under local control instead of Toronto [Provincial] control." [77] The Council decided to replace the proposed zoning bylaw with a new building bylaw which would achieve some of the same ends but would leave control of the

regulation of new buildings with City Council. In addition, Council maintained the ability to change the building bylaws as it wished. The Chairman of London's Town Planning Commission, Col. Leonard, was not happy with the decision and announced that he would have nothing to do with any committee formed to draft a new building bylaw. Neither he nor the city engineer liked the fact that members of Council would have complete flexibility in changing such a bylaw whenever they wished. As the city engineer stated, "You will have different rulings from every council." [78] Leonard, as with the rest of the professional wing of the planning movement throughout this period, preferred that such functions be left in the hands of a "non-political" independent commission, such as a town planning commission, a move opposed by municipal politicians. Arguing on behalf of the zoning bylaw, Leonard stated:

Don't forget that this has been put in the hands of ten councils.... It was put in my arms by a council. If you are going to get control, this is what will happen: You say something is no good and you will revise it. Will not the same thing prevail in respect to everything else if the bylaw is to be changeable at the whims or wishes of a council? Will that tend to permanency? You are reasonably safe in the hands of the board. [79]

The failure of the zoning bylaw was blamed on "one or two building interests in London" who had "beaten a very fine band of public welfare students and workers in a struggle for intelligent planning," as the JTPIC put it. [80] The interests in favour of planning knew very well that building

codes were not the same as zoning bylaws and that even a rigorous building code left at the mercy of successive city councils would never be effective. The defeat of this measure was seen as a blow to the planning movement in general which, in any case, was not doing very well by 1930. The JTPIC noted that:

The scrapping of the second zoning bylaw by the London city council will probably be used by reactionary city aldermen in other cities as an argument against planning, while the important fact will be ignored that the London zoning bylaw has not yet had a trial and has so far been...messed up all the time by the clamorous demands of one or two apartment building interests, while the larger interests of the body of separate home makers have had for their defence merely a group of public-welfare advocates. [81]

Even if London had adopted the proposed zoning bylaw the city might have had legal difficulties over the interpretation of provincial enabling legislation. Just two years after adopting the 1924 zoning amendments to the Municipal Act, the Ontario Legislature removed the word "location". This was accomplished by simply inserting the following sentence into the 1926 Municipal Amendment Act: "Paragraph 2 of section 399a of The Consolidated Municipal Act, 1922 is amended by striking out the word 'location' in the first line thereof." [82] Municipalities could still regulate the height, bulk, spacing and character of buildings within districts but without the ability to regulate the location of buildings, municipalities could not separate buildings

according to land uses, i.e. could not exclude the location of certain types of buildings from certain districts. [83]

There is no clear record why the zoning clause was watered down in 1926. The JTPIC reported that "one day this word was suddenly and mysteriously deleted from the Act." [84] Throughout the following years all planning enthusiasts could do about it was complain. The Controller of the City of Ottawa tried to get the legislature to reinsert the word but he was not successful. The provincial minister in charge of municipal affairs simply said that the word would not be restored. [85]

In addition to the removal of the word "location" in 1926, one other change in the zoning clause was made. This change made it much more difficult for a city to adopt the zoning measures still authorized by the act. It required a municipality to notify all owners whose property would be affected prior to its submission to the ORMB for approval. In addition it specified that

such notice shall be sent by prepaid registered letter at least ten clear days before the date fixed by the said board for hearing the application to all such owners, affected by the said by-law, whose names appear on the last revised assessment roll of the municipality. [86]

This was certainly a measure which would protect property owners from either overzealous or unscrupulous officials. But it also made the adoption of zoning all the more difficult.

As it was, a municipality already had to bring any measure to the ORMB along with any future changes.

As with the case of a new planning act, the Ontario planning movement failed to have its broader, more socially minded approach to zoning adopted. Once the real estate interests had obtained residential restrictions they ceased actively working with the planning movement. In fact, in many cases, they actively opposed any more detailed land use restrictions. The set back in 1926 which resulted from the removal of the word "location" was not to be rectified until after World War II. Even then, zoning would still be considered a municipal function separate from planning. Authority for zoning would remain a part of the Municipal Act until 1959, when it was finally transferred to the Planning Act.

Chapter 5 Footnotes

1. J. Schull, Ontario Since 1867, Toronto: McClelland and Stewart, 1978, Chapter 11, "Farmer Government", pp. 235-257; E.C. Drury, Farmer Premier, Toronto: McClelland and Stewart, 1966; R.A. Farquharson, "The Rise and Fall of the U.F.O.", Farmers Magazine, Sept., 1952, pp. 14-15; and M.J. MacLeod, "The United Farmer Movement in Ontario, 1914-1943", M.A. thesis, Queen's University, 1958; W.C. Good, Farmer Citizen, Toronto: Ryerson, 1958.
2. Canadian Parliamentary Guide, 1922, pp. 340-341.
3. Ibid.
4. D.G. Embree, "Rise of the United Farmers of Alberta", Alberta Historical Review, Autumn, 1957, pp. 1-5; W.L. Morton, Manitoba: A History, Toronto: U of T Press, 1957; and W.L. Morton, The Progressive Party in Canada, Toronto: University of Toronto Press, 1950.
5. Quoted in Schull, loc. cit., p. 237.
6. G.L. Caplan, The Dilemma of Canadian Socialism: The CCF in Ontario, Toronto: McClelland and Stewart, 1973, p. 11.
7. "The Meaning of Ontario's Election", SW, Jan 1, 1920, p. 110.
8. Open letter from G. Philip to Clerks of Municipal Councils, Feb. 25, 1920, PAC, M.G. 30, C 105, Vol. 1.
9. Ibid.
10. Ibid.
11. JTPIC, Feb., 1921, p. 7; ECR, Jan. 12, 1921, p. 49; ECR, Mar. 2, 1921, pp. 223-224.
12. ECR, Mar. 2, 1921, p. 223.
13. PAC, Cauchon Papers, MG 30, C 105, Vol. 3.
14. Report of the Federal Plan Commission on a General Plan for the Cities of Ottawa and Hull, Herbert S. Holt, Chairman, Ottawa: King's Printer, 1915. See also: V. Tomocik, "Reconstruction of Ottawa-Hull: The Greber Era in the

Planning of the National Capital", Master's thesis, University of Waterloo, 1977, especially Chapter I. Also: CE, 26(4), 1914, p. 181; CE, April 20, 1916, pp. 461-465; ECR, 34(51), 1920, p. 1213; CE, Nov. 4, 1920, p. 490.

15. Ottawa Citizen, April 12, 1921; Ottawa Journal, April 12, 1921; JTPIC, April, 1921, p. 12.

16. Ottawa Citizen, loc. cit.

17. Ottawa Journal, April 8, 1921.

18. Ibid.

19. Ibid., April 6, 1921.

20. Ibid.

21. Ibid.

22. Ibid.

23. Ottawa Citizen, April 12, 1921.

24. From a typed note in Cauchon's scrapbooks, PAC, Cauchon Papers, M.G. 30, C 105, Vol. 3, 1921.

25. JTPIC, Oct., 1921, p. 12.

26. Ibid., Dec. 8, 1921.

27. Ibid., Feb., 1922, p. 11.

28. Ottawa Journal, Nov. 1, 1921.

29. JTPIC, loc. cit.

30. JTPIC, Nov., 1922, p. 10.

31. Letter from W.S.B. Armstrong to Cauchon, Oct. 6, 1932, PAC, Cauchon Papers, M.G. 30, C 105, Vol. 9.

32. JTPIC, Nov., 1922, p. 20.

33. Programme: Third Ontario Town Planning and Housing Conference, Toronto, Oct., 1922.

34. The draft planning act was printed twice in the JTPIC, Nov., 1922, pp. 10-17 and Feb., 1931, pp. 12-19.

35. Canadian Parliamentary Guide, 1924, pp. 345, 353.
See also: P. Oliver, G. Howard Ferguson: Ontario Tory,
Toronto: University of Toronto Press, 1977; and J. Schull,
loc. cit., Chapter 12.

36. For example, the JTPIC noted that: "The labour of the petitioners was all in vain. Political exigencies perhaps diverted attention from the matter. The town planning fraternity have always felt that the legal department at Toronto were in opposition to them." Feb., 1931, p. 3.

37. Ibid.

38. G.H. Sanford, To Serve the Community: The Story of Toronto's Board of Trade, Toronto: University of Toronto Press, 1974, p. 163.

39. J.D. Hulchanski, "Thomas Adams: A Biographical and Bibliographic Guide", Papers on Planning and Design, Paper No. 15, Dept. of Urban and Regional Planning, U of T, April, 1978.

40. CE, May 15, 1919, p. 452.

41. CE, Feb. 6, 1919, p. 195. In 1920 the Institute began publishing its journal, which helped fill the void left by the disappearance of the Commission's publication, Town Planning and Conservation of Life. These were the only two periodicals of the period with a primary focus on planning and housing.

42. JTPIC, Feb., 1928, p. 6.

43. JTPIC, June, 1927, p. 113.

44. Letter from LeMay to Ferguson, May 21, 1929, and Ferguson to LeMay, May 22, 1929, PAO, R.G. 3, Box 104.

45. Ibid.

46. Ibid.

47. CE, March 26, 1929, p. 385.

48. S.J. Makielksi, The Politics of Zoning: The New York Experience, N.Y.: Columbia University Press, 1966; S.I. Toll, Zoned America, N.Y.: Grossman, 1969; and N. Hason, "The Emergence and Development of Zoning Controls in North American Municipalities: A Critical Analysis", Papers on Planning and Design, Paper No. 13, Dept. of Urban and Regional Planning, U

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49. CE, 54(24), 1928, p. 608; "The Remarkable Spread of Zoning in American Cities", American City, Dec., 1921, pp. 456-458; T.K. Hubbard and H.V. Hubbard, Our Cities of To-day and To-morrow: A Survey of Planning and Zoning Progress in the United States, Cambridge: Harvard University Press, 1929, Chapter 11, "Zoning", p. 162-191; and G. Whitnell, "History of Zoning", Annals, Vol. 155, Part II, May, 1931, pp. 1-14.

50. F.H. Plant, "The Present Status of Zoning By-laws in Canada", MRC, Sept., 1929, pp. 365-368.

51. ECR, Dec. 15, 1920, p. 1189. See also: N. Cauchon, "The 'Economic' Case for Zoning", JTPIC, Feb., 1926, pp. 23-24; C.H. Cheney, "How Zoning Standardizes Values", National Real Estate Journal, Nov., 1919, pp. 21-24; A.G. Dalzell, "Town Planning and Real Estate", TPCL, July-Sept., 1920, pp. 62-67; and H.H. Culver, "A Realtor's Viewpoint on Zoning, Past and Future", Annals, Vol. 155, Part II, May, 1931, pp. 207-212.

52. JTPIC, June, 1924, p. 8.

53. Ibid.

54. JTPIC, Feb., 1922, p. 1. See also: T. Adams, "Efficient Industry and Wholesome Housing True Aims of Zoning", American City, March, 1921, pp. 287-289.

55. N. Cauchon, "Zoning and Town Planning Legislation", MRC, Aug., 1927, pp. 335-336.

56. JTPIC, Mar., 1923, p. 6.

57. Ibid.

58. J.M. Kitchen, What It Means to Zone, Ottawa: TPIC Publication No. 1, 1926, p. 3.

59. Ibid.

60. H.L. Seymour, "Zoning Bylaw or Regulations Proposed for Municipalities or Town Planning Districts", CE, Oct. 17, 1922, pp. 450-453. A model zoning bylaw for the US was prepared about the same time by the US Department of Commerce: Advisory Committee on Zoning, Department of Commerce, A Standard State Zoning Enabling Act, Washington, 1924.

61. Toronto City Council, Minutes, 1903, Appendix A,

p. 1305.

62. Statutes of Ontario, 1904, Municipal Amendment Act, Sec. 19.

63. P.W. Moore, "Zoning and Planning: The Toronto Experience, 1904-1970", in A.F.J. Artibise and G.A. Stelter, eds., The Usable Urban Past, Toronto: Macmillan, 1979, pp. 316-341.

64. P.W. Moore, "Zoning and Neighbourhood Change in the Annex in Toronto, 1900-1970", Ph.D. thesis, Department of Geography, U of T, 1978, p. 123.

65. From Might's Directories, 1905-1913, quoted in P.W. Moore, ibid., p. 117.

66. Statutes of Ontario, 1912, Municipal Amendment Act, Chap. 40, Sec. 10.

67. P.W. Moore, loc. cit., p. 125.

68. Statutes of Ontario, 1922, The Consolidated Municipal Act, Chap. 72, Sec. 399a.

69. Ibid. A zoning bylaw was not allowed to be retroactive and had to be approved by the Ontario Railway and Municipal Board. In addition a bylaw could not be amended or repealed without the approval of the municipal board. Thus, the province maintained control over the nature of zoning controls.

70. JTPIC, June-August, 1921, pp. 22-23.

71. Statutes of Ontario, 1924, Municipal Amendment Act, Chap. 53, Sec. 12.

72. CE, June 3, 1924, p. 581.

73. Ibid.

74. CE, Jan. 27, 1925, p. 181; MRC, July, 1926, p. 238.

75. JTPIC, July, 1922, p. 3.

76. JTPIC, Aug., 1930, p. 85.

77. Ibid.

78. Ibid.

79. Ibid., pp. 85-86.

80. Ibid., p. 86.

81. Ibid.

82. Statutes of Ontario, 1926, Municipal Amendment Act, Chap. 52, Sec. 5(1).

83. Ottawa had prepared a zoning bylaw which the City Council did not adopt because the legal advice they received felt that the elimination of the word "location" simply "sterilized zoning and zoning could not proceed". (JTPIC, Apr., 1930, p. 45.) The JTPIC noted that "Ottawa cannot proceed with zoning because the Ontario legislature has cut out of the zoning clause the vital word 'location' - thus eviscerating the zoning act...." (JTPIC, Feb., 1930, p. 20).

84. JTPIC, Apr., 1930, p. 45.

85. Ibid.

86. Statutes of Ontario, 1926, loc. cit., Sec. 5(2).

Chapter 6

The Depression Decade: Housing and National Planning

In the decade of the 1930's there was an almost total break with the type of planning movement which had existed in the previous two decades. What had happened was a dramatic change in the nature of the urban problem itself. With the virtual collapse of the economy very little urban development was taking place. There were few new subdivisions to plan and too few new buildings being constructed for anyone to worry about protecting residential areas. The entire economy was in trouble and most urban residential, commercial and industrial construction came to a halt; so did the planning movement.

This does not mean that there were no serious problems or that planning was unnecessary. On the contrary, both housing and planning became very high profile issues throughout the country. But depression conditions changed the type of housing and planning programs required. Neither the urban problem nor its proposed solution was the same as before. Rather than the "suburban solution", government housing programs were now called for. Rather than focusing simply on urban physical planning, national economic planning was being advocated.

6.1 Housing and Slum Clearance Programs During the 1930's

The primary urban problem of the 1930's in Canada was housing. It was a problem of both quantity, too few units being built, and quality, overcrowding and inadequate maintenance. During the seven prosperous years prior to the slump in housing construction, 1925 to 1931, an average of 55,000 housing units were built annually. From 1932 to 1936, the five worst years of the depression, an average of only 30,000 units were built annually. [1] As housing construction tapered off, the number of people moving to cities was increasing. The severe drought and collapse of farm prices forced many people out of rural areas and into the cities. Between 1931 and 1941 Canada's population living in urban areas increased from 63.1 per cent to 67.5 per cent, an increase slightly larger than that of the previous decade. [2]

These conditions, combined with widespread unemployment and poverty, were giving rise to slums and to concern over the spread of slum districts. For the first time in Canada's history, detailed studies of housing conditions were launched by many municipalities and civic groups. In 1934 Toronto City Council appointed an Advisory Committee on Housing Conditions with the Lieutenant-Governor of Ontario, Dr. Herbert A. Bruce, as its Chairman. [3] The committee recommended a program of slum clearance based on its survey of housing conditions in two areas of the city ("The Ward" and

Moss Park). In the same year the Montreal Board of Trade and the Montreal Civic Improvement League also published a Report on Slum Clearance and Low Rent Housing recommending that a forty block area be subject to a slum clearance program. This would not only improve the housing conditions of the 18,000 people living in the area by relocating them but, according to the report, but also provide work for the construction industry. A few years later the Department of Planning and Research of the Montreal Metropolitan Commission conducted its own housing study, which also recommended slum clearance and low-rental housing. [4] The Vancouver City Council established a Housing Committee in 1937 "to make a survey of the housing situation in Vancouver and to draw up and present a comprehensive Housing Plan to the council based upon the needs of the City." [5] In Ottawa, the Ottawa Regional Committee of the National Housing Construction Council of Canada conducted a housing survey of 3,500 dwelling units in which 5,625 families on relief were living. The report recommended demolition of 576 of the units, rehabilitation of 1,369 and construction of 1,200 new units to replace those demolished and to alleviate overcrowding. [6] Studies similar to these were carried out in many other cities across the country. [7]

This nationwide interest in slum clearance took place in complete isolation from land use planning. The two were never tied together. Since the origins of the Canadian

planning movement in the 1910's, urban redevelopment had always been avoided because it was costly and impractical. Canadians in fact had retained Thomas Adams and not other equally prominent planning consultants because his approach was to expand low-cost working class housing in the suburbs rather than attempt major replanning and redevelopment of existing urban areas. There had been no tradition of redevelopment planning in Canada. When urban conditions had finally deteriorated to the state they were in during the 1930's, slum clearance was proposed simply on an ad hoc basis.

Most of the 1930's housing studies were either recommended or actually carried out by the local business elite of the various municipalities. They originated from two basic concerns. One was the high rate of unemployment and social unrest in all large cities. Business and civic leaders still believed in environmental determinism and therefore suggested slum clearance as one way of not only upgrading the housing but also controlling the slum population. While some favoured subsidized low rental housing, these tended to be the more socially progressive people. Most of those favouring slum clearance resisted the idea of subsidized housing.

The second reason slum clearance became such a major concern in the 1930's was the economic benefits a redevelopment program would bring to the construction industry. Slum clearance programs would provide contracts for the construc-

tion industry and jobs for construction workers. [8] The construction sector was one of the hardest hit by the depression. In the 1930's it began to lobby for public works projects, including slum clearance. As Table 9 indicates, there was a sharp decline in the total amount of construction taking place and a dramatic increase in unemployment among construction trade unions. Unemployment in the construction industry averaged 63.5 per cent between 1932 and 1934. For the entire decade it averaged 45.1 per cent, whereas for the eight prosperous years up to 1929, unemployment in construction only averaged 13.8 per cent.

As early as 1931 the Canadian Construction Association proposed that a national board be established to release funds for construction when the index of unemployment reached a certain level. In February, 1933, the National Committee on Construction Recovery held a convention in Toronto. The convention was sponsored by the Canadian Manufacturers' Association, the Canadian Construction Association, the Royal Architectural Institute of Canada and the Engineering Institute of Canada. The convention brought together 17 national organizations representing construction, and building material interests, including the Trades and Labour Congress of Canada. [9] A National Construction Council was established at the Convention to lobby the government for a major public works program, including such things as housing, water and sewerage

TABLE 9

Construction Expenditure and Unemployment
in Construction Trades, Canada, 1926-1940

	Construction (\$ million)			Unemployment In Const. Trades
	Housing	Other Building	Engineering	
1926	201	165	366	12.5%
1927	204	220	424	13.5
1928	220	295	515	10.4
1929	230	342	572	14.9
1930	191	260	451	32.3
1931	158	169	327	47.5
1932	90	87	177	63.5
1933	72	57	129	67.1
1934	92	65	159	60.0
1935	107	72	179	47.6
1936	131	103	234	39.3
1937	164	140	304	29.4
1938	148	128	276	35.0
1939	174	130	304	29.1
1940	186	232	418	18.2

NOTES: Construction data is for new construction in current dollars.

Unemployment data is based on quarterly averages for building and construction trade unions.

SOURCE: Construction data: M.C. Urquhart, Historical Statistics of Canada, Toronto: Macmillan Co., 1965, p. 503.

Unemployment data: O.J. Firestone, Residential Real Estate in Canada, Toronto: U of T Press, 1951, pp. 328-329.

works, replacement of obsolete public buildings, and construction of underpasses at railroad crossings. [10]

The National Construction Council even launched its own national survey of housing needs. The Council was using a basically Keynesian argument about the economic stimulation the construction sector could provide. In announcing the national housing study the Chairman of the NCC noted that:

The building workman is a skilled workman. He earns good wages. Employed, he immediately becomes a purchaser of all types of goods. To return to work the idle man in the building industry by undertaking a national low-cost housing development [program], if one is necessary, by facilitating the carrying out of needed repairs and increasing the amount of residential construction to meet the latent demand will revive every market with astonishing rapidity. Of every building dollar, approximately eighty cents goes to labor on the job and to labor engaged in the production of materials. These wage earners, living in every part of the country, spend their wages at home to buy commodities of every description. Restoration of their earning power will restore the demand for every type of product and in turn will re-employ thousands more in all other industries. [11]

Only after WW II would the government begin to actively use the construction industry, especially the housing sector, as a Keynesian regulator. During the early years of the depression economic orthodoxy prevailed and government spending was cut back. In 1934 however the industry lobby did get the federal government to launch a public works program. The Public Works Act of 1934 and 1935 budgeted \$40 million and \$78 million respectively for construction and improvement of public facilities across the country. The public works pro-

gram attempted to redirect some relief funds into public works projects, but the federal cost sharing formula required the province and municipality to cover 75 per cent of the cost. Neither the provinces nor the municipalities, many of which were close to bankruptcy, could afford to put up their share.

[12]

Even this small public works program did not last very long. Other industries did not like the construction lobby gaining all the benefits and did not agree with the principle that public works should be undertaken simply to create jobs. They wanted to see the government undertake public works which would help stimulate industry which in turn would create private sector jobs. The Chamber of Commerce, among others, convinced the government to set up the Purvis Commission to investigate unemployment. The Commission recommended that the existing public works program be abolished and that only those public works which stimulated the private sector (such as roads to mining or tourist areas, harbour improvements, and so on) be approved. The government went along with this recommendation and Canada, unlike the US, did not have a large public works program aimed at job creation during the depression. [13]

The short lived public works program was not the only area in which the National Construction Council sought government action. The NCC and various local business groups suc-

cessfully convinced the federal government to initiate a housing program, the Dominion Housing Act of 1935. The program emerged more out of a concern to create jobs and alleviate unemployment than out of social housing concerns. Before adopting the Act Prime Minister Bennett appointed a special Parliamentary Housing Committee in February, 1935, to consider and report on the possibility of inaugurating a national policy on house construction. In its brief to the Housing Committee the National Construction Council urged a comprehensive housing and slum clearance program, including the creation of a permanent national housing authority, local housing authorities and the elimination of some of the risk of mortgage lending. In addition, the NCC urged comprehensive planning and zoning to help ensure efficient and coordinated implementation. This proposal for comprehensive planning was one of the few to be made during the depression and was reminiscent of similar unheeded pleas of the two previous decades:

That all municipalities benefitting under the [housing] scheme be required to enact zoning regulations as part of a town plan providing for the growth and development of the municipality, including adjoining suburban and rural districts, and that all provinces desiring to benefit under a national housing program be required to pass necessary enabling legislation. [14]

The comprehensive approach proposed by the NCC was not favoured by the special Parliamentary Committee. It recommended a much more limited housing program, as finally adopted

in the Dominion Housing Act. The special Committee also recommended creation of a national housing authority, a proposal that was not implemented. [15]

The housing act, if not ideal, satisfied the construction industry. It also met the needs of the financial community, which was seeking national action to help stimulate the mortgage market by offering some protection to lenders. The DHA embodied the major proposals of the Dominion Mortgage and Investments Association and the Ontario Mortgage Companies Association. These organizations included the largest loan, trust and life insurance companies in the country. [16]

The DHA was basically a mortgage loan incentive program for the construction of new owner occupied housing. There was no rental, subsidized rental or slum clearance program included in the DHA. The Act incorporated the proposals of the Dominion and Ontario mortgage associations: the government would help subsidize them as a way of making it more worthwhile for them to take the risk of lending mortgage money. The DHA permitted the mortgage company to lend up to 80% on approved houses with the government providing 20% of this at 3% interest to the mortgage company. The potential home buyer would have to put up the remaining 20% as down payment. If there was a default the government would assume the loss. In addition, because the borrower paid up to 5% on the full mortgage, the mortgage company kept the interest

differential on the government's 20%. [17]

The Dominion Housing Act had a very limited impact, assisting less than 900 houses in 1935 and 1936 and only 4,899 houses during its life (see Table 10). It was one of many last minute measures the Bennett government enacted or proposed in the election year of 1935. After doing next to nothing during the first four years of the depression, on January 2, 1935 Bennett gave his first of several "New Deal" broadcasts. He declared that there could be no permanent recovery without government control and regulation. "It means

Table 10

Number of Dwellings Assisted
Under the 1935 DHA and 1938 NHA

	1935 DHA	1938 NHA
1935	81	
1936	738	
1937	1732	
1938	2165	1381
1939	183	5660
1940		5545
1941		4349
1942		1338
1943		1633
1944		1394
1945		114
TOTAL	4899	21414

Source: O.J. Firestone, Residential Real Estate in Canada,
Toronto: U of T Press, 1951, pp. 483, 486.

the end of laissez-faire," he said. [18] In a second broadcast two days later Bennett promised legislation establishing an eight-hour day, a maximum work week, a uniform wage, unemployment insurance, health, accident and sickness insurance, a new old age pension system and higher taxes for non-producers who derived their income from securities. All of these things did eventually come to pass, but long after Bennett's term in office. His conversion to a recovery program was too late: in the October 14 general election his Conservative government was defeated. It was the worst Tory showing since confederation. Only 39 Conservatives were elected and 12 of 18 cabinet ministers were among the defeated. [19]

The Dominion Housing Act and the pre-election "new deal" Bennett proposed were not only limited and very late in and of themselves, but they appeared especially insignificant in relation to the recovery programs taking place south of the border. Between 1933 and 1934 FDR's New Deal included, among other things, the National Industrial Recovery Act, the Public Works Administration, the Tennessee Valley Authority, the Homeowners Loan Act (saving a million homes from default), the National Housing Act (establishing the Federal Housing Administration and the federal mortgage insurance program), the Civilian Conservation Corps, the Federal Relief Administration, and the appointment of the National Planning Board with the aim of combining national economic administrative and

physical planning. Between 1935 and 1938 FDR's administration added the Social Security program, the Works Project Administration (employing close to three million people and including the Agricultural Resettlement Administration and the Greenbelt new towns program), the National Labour Relations Act, the 1937 National Housing Act (establishing the US Housing Authority which built some 350 public housing projects by 1940) and the Wealth Tax (introducing more progressive income and corporation taxes). [20]

Bennett had simply hoped that the depression, like recessions of the past, would quickly go away. This led to the election of a Liberal government with Mackenzie King as Prime Minister once again. He was not elected, however, on any far reaching platform of reform. He simply knew people were tired of Bennett and campaigned on the slogan "King or Chaos" without any recovery policies. King, like Bennett, believed that the depression was only a temporary recession and that the economy would recover with little help from government. The point was not to obstruct the recovery process but to allow economic laws to follow their course. Thus, few great reforms came from the King administration.

The King government initiated two new housing programs, the Housing Improvement Loan program of 1937 and the National Housing Act of 1939. Both of these resulted from recommendations of the National Employment Commission King

appointed in May, 1936. Its duties were to assess the size and nature of the unemployment problem and formulate recommendations for increasing employment together with the formulation "of long range plans of national development for the purpose of ameliorating the effects of future depressions."

[21] It is interesting to note that the Commission was not asked to suggest ways of preventing future depressions but simply "ameliorating the effects of future depressions."

Arthur B. Purvis, President of Canadian Industries Ltd., Director of the Bank of Montreal and director of several other large industrial and financial companies, was appointed Chairman of the Commission. [22]

One of the first recommendations of the National Employment Commission was that a home improvement loan program be initiated to stimulate employment in the construction and building supply sectors. It was immediately approved by the King government and both the Commission and the Canadian Bankers' Association convinced the government to make the legislation retroactive to October 15, 1936 so that loans could be made prior to the sitting of Parliament. The program was modelled after an American home improvement plan whereby the government guaranteed the loans of approved lenders against losses. The Canadian program guaranteed loans up to \$2,000, required no collateral, and the federal government guaranteed losses to a maximum of 15 per cent of the aggregate

amount loaned by any firm. Table 11 summarizes the number and value of loans guaranteed during the five year life of the program. [23]

The Home Improvement Program was a clear example of the approach Purvis and his Commission took to creating more employment opportunities. They felt that government should take positive action in times of depression to reduce unemployment rather than try to economize and balance the budget. They sought increased expenditures and reduce taxes. [24]

Table 11

Operations Under the
Home Improvement Loans Guarantee Act of 1937,
1936-1940

	No. Loans Approved	Value (\$000)
1936	3,159	\$ 1,198
1937	30,772	12,052
1938	28,077	11,516
1939	36,042	14,706
1940	27,670	10,488
TOTAL	125,720	\$ 49,960

NOTE: The Act was adopted in 1937 but covered loans made after Oct. 15, 1936.

SOURCE: O.J. Firestone, Residential Real Estate in Canada, Toronto: U of T Press, p. 484.

In keeping with this philosophy the Commission recommended an expanded housing program to include slum clearance, low rent housing and even subsidized rental housing. For the subsidized rental housing and subsidized slum clearance program the Commission recommended the following principles which have continued to be basic principles behind government housing in Canada to this day:

- encouragement of the participation of private capital;
- avoidance of undue competition with the private investor and with existing housing;
- requirement of a system of selected tenants so that government-aided low rental houses would not be occupied by those able to pay full economic rents.
[25]

Such recommendations were understandable coming from a Commission composed of bankers and industrialists seeking a means of stimulating the economy. Return to normalcy and not structural change was the objective.

In justifying their housing proposals to the King government, the Commission made clear that they did not seek to compete with or replace any private sector activity. They argued that this housing proposal would increase urban employment and thereby lessen potential social unrest:

As a measure of public health and social advancement, low rental housing projects will have a direct influence in improving conditions of life for the low-wage-earner in urban areas . . . [26]

It would also be a sign that the government was doing something about the problem:

Direct aid in this field will arrest public attention and focus the interest of communities generally on housing.

Furthermore it would not disrupt the normal functioning of the private home building sector:

The field of low rental housing is the only one in which a direct and decisive stimulus can be given to home-building without the risk of subsidizing competition to private builders and thus discouraging more building than is stimulated. [27]

Thus, while recommending an innovation in public policy, i.e. a subsidized public housing program, the Commission did so on purely pragmatic and conservative grounds. The program was necessary because of the economic crisis of the day and would not interfere with the normal functioning of the private sector.

As mentioned earlier, the National Employment Commission opposed a public works program for Canada, even under depression conditions and even with their Keynesian viewpoint, because it would potentially prove harmful to the private sector. A public works program could:

- Create a feeling of dependence upon government for work opportunities and even attract people out of private industry into the field of governmental work.
- Represent the most expensive method of putting men to work, so tending to restrict employment in private industry because of the discouraging effect of the resultant tax burden. [28]

These were familiar conservative arguments. The problem conservatives, such as members of the Commission, faced was how to balance the pragmatic needs for state action required by a "welfare state" while still maintaining a competitive private sector. The conditions of the depression forced this problem on them.

Mackenzie King's initial reaction to the counter-cyclical policies the Commission favoured was one of hostility. According to King and his finance minister, government deficits were not only undesirable but practically immoral. Yet 1938 was an election year. The political pressures of an election and several dissident cabinet ministers who favoured deficit spending convinced King's government to bring down a deficit budget. The budget contained a package of proposals: loans to municipalities for local improvements, tax reductions and tax exemptions for private investment, and a new housing program. The National Housing Act of 1938 replaced the Dominion Housing Act. The NHA expanded the home loan program of the DHA and added two new programs, neither of which was ever used. Part II of the NHA was designed to encourage municipalities to undertake low-rental housing projects. It provided an appropriation of up to \$30 million for loans to limited dividend corporations and municipal housing authorities for the erection of low rent housing. This could have included clearance of slum areas for construction of the rental accom-

modation. Rent subsidies were made possible by creation of a voluntary rent reduction fund. If rents in a project were too high because of high costs, the local housing authority would be permitted to negotiate with the municipality, the Provincial Government, or both for contributions to reduce rents. This Part II of the NHA was similar to the program advocated by the National Employment Commission. Part III dealt with the problem of high property taxes by establishing a formula of tax reductions for the first three years on any new home constructed before the end of 1940. [29]

King's budget marked the beginning of a new concept of the role of government in Canada, although it was already eight years after the depression had begun. It indicated that the government and the business community felt secure enough to resist demands for any broader change. The need to find a way out of the depression and the need to control the growing social strife caused by unemployment helped lay the preliminary groundwork for this transition to the modern welfare state. In spite of the resistance to change, there was no going back to pre-depression conditions. Nor, however, was there yet any comprehensive planning being attempted. Ad hoc and remedial measures would be tried first. These remedial measures were initiated by and/or on behalf of the interests of private capital. Any broader change was continually resisted. As Alvin Finkel points out in his study of the

period:

businessmen pressed for reforms not because they wished to remove injustices that existed within the capitalist system but because they recognized that the system could not survive without some structural reforms. Both the tendency of the uninterrupted business cycle to slide towards depression and the tendency of working people and farmers to respond by sliding towards radicalism spurred the businessmen to modify the rules of capitalism. [30]

But in spite of this, the unique feature of the depression was that it stimulated the growth of movements and proposals for broader social change, based on social concerns and democratic planning.

6.2 Proposals for National Economic Planning

While the government responded to the problems of the business cycle by taking a few tentative steps towards greater public management of the economy, the problems faced by ordinary working people led many of them to propose broader social change. A unique feature of the depression was the existence, for the first time, of a national radical organization, the Co-operative Commonwealth Federation (CCF). Although it was young and had few elected officials, it provided an alternative to the policies of the King government. [31] It also provided a more progressive, social democratic approach to planning and housing -- something which the town planning movement did not do. In its first platform, the 1933 Regina Manifesto, the CCF made clear what it sought:

The CCF is a federation of organizations whose purpose is the establishment in Canada of a Co-operative Commonwealth in which the principle regulating production, distribution and exchange will be the supplying of human needs and not the making of profits.

We aim to replace the present capitalist system, with its inherent injustice and inhumanity, by a social order from which the domination and exploitation of one class by another will be eliminated, in which economic planning will supercede unregulated private enterprise and competition, and in which genuine democratic self-government, based upon economic equality will be possible. [32]

The very existence of the CCF and its explicit positions on planning and housing provided the first organized and articulate advocacy of a socialist alternative to urban reform in Canada. Three variants of social reform were, therefore, present in the 1930's: the beginnings of a Keynesian role for government in which the planning of public expenditures and support for the housing sector were necessary; the continuance of the traditional approach to town planning with its emphasis almost exclusively on physical land use planning; and the beginnings of a socialist approach advocated by the CCF, calling for national economic planning.

Unlike proposals to introduce comprehensive physical planning within and for the sake of maintaining capitalism, the planning proposals of the CCF in Canada provided an alternative -- national planning. Through the League of Social Reconstruction (LSR), a Canadian version of the Fabian Society established in 1932, the highly diverse groups which made up

the CCF received intellectual backing. In 1935 the LSR published Social Planning in Canada, a critical analysis of Canadian society with a program of action designed to create a more humane social order. [33] After surveying the problems with the existing economic system, the fifteen chapters in Part II of Social Planning described how socialist planning could be applied to the various key sectors of Canadian society. The book's aim was to support and explain the positions taken in the Regina Manifesto. The first plank in that 1933 party platform was planning: "The establishment of a planned, socialized economic order to make possible the most efficient development of the national resources and the most equitable distribution of the national income." [34] In Part II of Social Planning are chapters on: "The Logic of Social Planning", "National Planning in Practice", "The Socialization of Industry", "Administration in a Socialized State", and chapters on different sectors, such as banking and investment, taxation, foreign trade, labour, health and welfare, and agriculture. Chapter 14 was titled "A Housing Program". The proposals for change made in these chapters were a combination of Fabian socialism, Keynesianism and the welfare statism. But unlike other reforms being proposed in the 1930's the CCF's aim was to replace competitive capitalism with a "cooperative commonwealth".

The CCF was, for sample, opposed to the piecemeal

planning proposals and government regulations introduced at the time, arguing that the logic of planning

has demonstrated . . . that negative regulation is not enough, that a hybrid system of laissez-faire and piecemeal state control is too defective to remove the major inequalities of present economic society, that capitalist planning must by its nature be largely planning for the capitalist. [35]

The CCF proposed establishment of a National Planning Commission to organize and administer a socialized economy. Their chapter on housing argued that comprehensive planning for the "building of a better urban environment was needed, not restricting planning and housing to the clearing out of the worst slum or providing cheap working class housing." [36]

Urban problems were blamed on the functioning of capitalism:

If capitalism is judged by its ability to provide homes and cities which will produce free and healthy citizens, it will not stand high. An unrestrained system of profit-making enterprise is responsible not only for the arid wastes of city street and slum, rooming houses and "shack towns", inadequate provision of open spaces, playgrounds and community centres, but also for the vulgar ostentation or the mock-antique of many of our "high-class" residential districts, the crudities of our present civic architecture, the waste and graft of much of our public works development. [37]

This chapter on housing, which included a section on "Making Town Planning a Reality", was the only clear radical critique and alternative to the approaches of the Canadian town planning movement of the three previous decades. The CCF proposed to democratize the process and make the private

sector subordinate to a democratic planning process. "Town Planning for the whole of a city's residents (instead of for its few wealthy areas)," argued the LSR, "will only become a reality if the principles of land development are interpreted in future strictly in the public interest." The aim should be "not to plan for the gigantic cities which the 'boosters' of fifteen years ago anticipated, but to perfect the use of our existing urban regions." [38]

To accomplish this the LSR suggested that planning would have to become a government responsibility. They suggested further that a Federal Housing and Town Planning Authority be established in Ottawa and that housing policy not be assessed solely on economic criteria. Instead, their housing program would be judged on its social costs and benefits, as well as its economic costs.

A socialist government honestly desiring to get rid of slums and to provide better housing for the wage-earner (and also for the farmer) must expect to spend money for that purpose. In national accounting, whether an investment "pays" or not must be judged by its total social benefits. If devoting some part of the budget to subsidized housing "pays" in healthier and happier living conditions for many of the country's workers, in less repressive environments for their children, in reduced burdens of infantile mortality, tuberculosis, juvenile delinquency, contagious diseases, this is "profitable" expenditure in the best sense of the word. [39]

In all, the position of the CCF was almost the complete opposite of the federal and Ontario governments' position. Even though there was a great deal of social turmoil during the

1930's, the CCF did not have great success in the federal elections. In 1935 they won 7 seats and 9 per cent of the vote. In 1940 they won 8 seats and 8.5 per cent of the vote. [40] They did, however, have significant influence on public opinion and would be especially influential during the mid-1940's.

Though there was little traditional planning activity taking place in Canada, key people in the planning movement still published occasional articles on planning. Their approach did not change much and remained quite separate from the CCF's position. "There have been no instances of comprehensive town planning accomplishments in Canada during the past five years," noted Norman Wilson, Chairman of the Ontario Land Surveyors' Committee on Town Planning, in 1936, even though "no similar period has been more conducive to consideration, of the unfortunate results, socially and financially, of a policy of laissez faire in urban growth." [41]

Only towards the end of the 1930's there were signs that the town planning movement was reviving. This was separate from CCF activities and was focused more on housing than planning. Although no professional planning organization reemerged in the late 1930's, a National Housing and Planning Association (NPHA) was established in 1937. This association had no relationship to the Ontario Town Planning and Housing Association of the early 1920's. The National Housing and

Planning Association was established in response to the King government's plans to initiate a new housing program along the lines recommended by the Purvis Commission.

In order to help lobby for the new housing program a number of predominant municipal officials, planners and housing activists convened an "Informal Conference on Planning and Housing" on March 16 and 17, 1938, in Ottawa. [42] It was held at the same time and in conjunction with the joint annual convention of the Union of Canadian Municipalities and of the Dominion Conference of Mayors. The conference discussed five topics related to housing:

- planning, zoning and housing in Montreal;
- uniform standards for building codes in Canada;
- housing and planning in the United States;
- planning and housing legislation in Canada; and
- low cost housing.

A total of 245 people from across the country attended the conference. According to one of its convenors, George S. Mooney, who was a member of the CCF and the Assistant Director of the Montreal Metropolitan Commission's Department of Planning and Research, the purpose of the conference was to organize housing activists from across the country into a national organization.

We must not be caught unprepared when the next moment arrives for a national nation-wide attack on the housing problem. The N.P.H.A. [sic] can be and should be the instrument through which the presently unco-ordinated forces throughout the Dominion are welded into one strong national federation. [43]

The point of having such a federation was to lobby the government for improved housing legislation. With the Association, Mooney argued, "we can bring a much stronger pressure on the respective governments concerned than we are able to do separately." [44] In the following year the National Housing Act with its low rental housing provisions was adopted. It was unclear exactly what influence, if any, the National Housing and Planning Association had, although it certainly did not hurt.

The fact that such an organization was created in 1937 follows the pattern of the previous two and a half decades in which planning and/or housing groups were established when the negative aspects of a specific urban problem were at their peak and when there was general agreement on where the beginnings of a solution lay. The members of the NHPA came from the entire political spectrum, from conservative municipal officials to members of the CCF. They all agreed that there should be expanded government activity in the housing sector and specifically in the low rental sector.

Although there was no organized planning movement in the 1930's the NHPA was a sign that conditions for such a movement were getting better. However, before the NHPA could become a strong or meaningful organization, the war broke out and national priorities changed. Between 1937 and Canada's entry into the war in 1939, local affiliates of the NHPA were

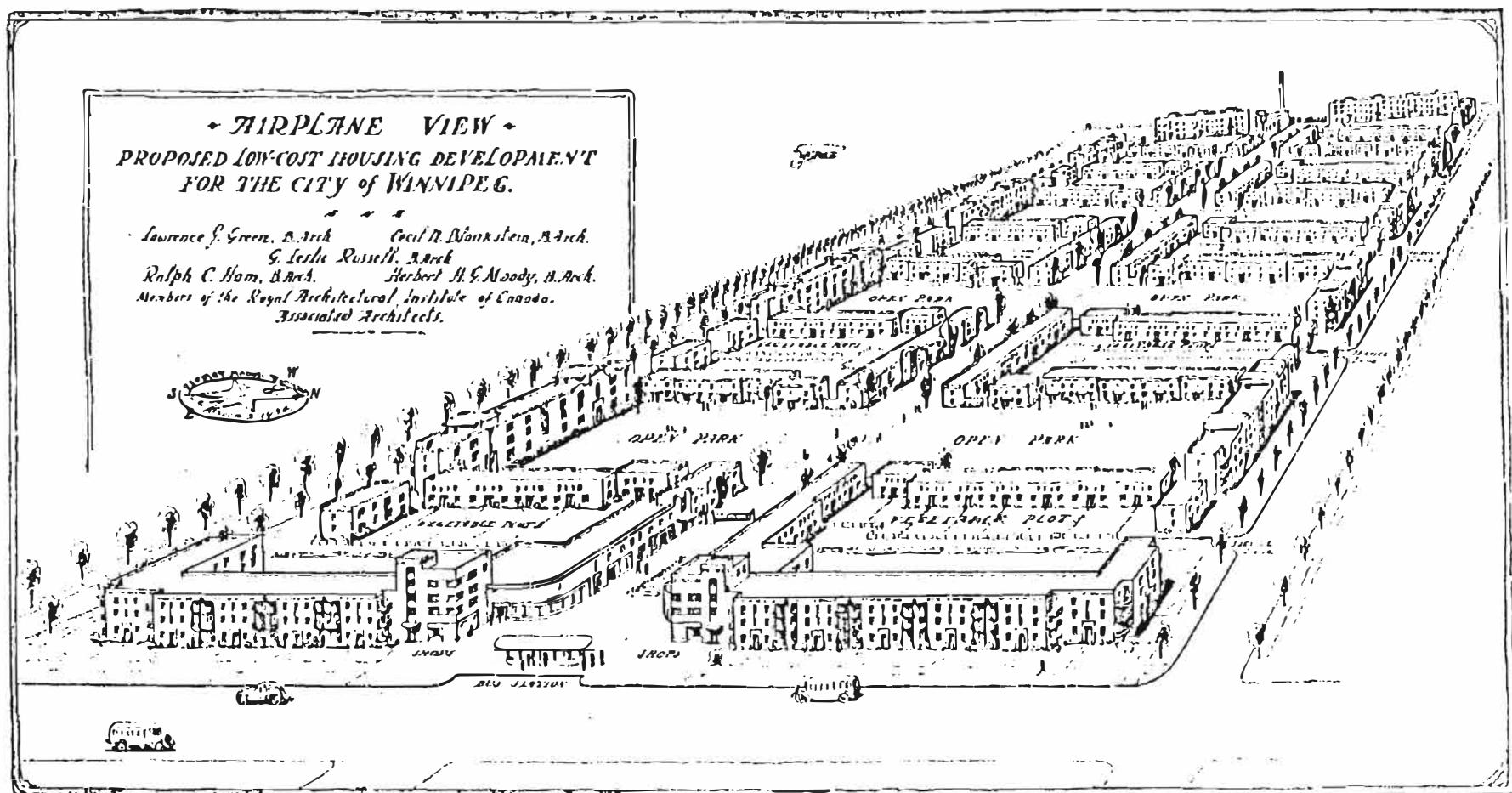
established across the country. There was a Vancouver Housing Association, a Greater Winnipeg Housing and Planning Association, an Ontario Housing and Planning Association, an Ottawa Housing and Planning Association, a Montreal Housing Committee and a Nova Scotia Housing Commission. [45] All of these faded away when the war began. It seems that if the war had not occurred, these organizations would have grown; and if depressed conditions had continued, they would have started implementing the low rental housing provisions of the 1938 NHA. There were already signs of this occurring in some cities previous to the outbreak of the war. Vancouver's city charter was amended to permit use of Part II of the NHA and Winnipeg prepared a proposal for a 474 unit housing project for submission to the Minister of Finance for funding under the 1937 NHA. [46] Even the design of Winnipeg's proposed housing project was simliar to public housing projects which would be built in the late 1940's (see Figure 7). Thus, if the war had not begun, it seems gradual implementation of a public housing program would have begun in the late 1930's, rather than the late 1940's.

6.3 Proposals for Metropolitan-Wide Planning

Even during the depression there was a growing recognition that more extensive municipal planning would be required once economic conditions improved. The depression

FIGURE 7

Proposed Low-Cost Public Housing Project, Winnipeg, 1934



SOURCE: JRAIC, July-August, 1934, p. 110.

had caused many municipalities to default on their bonded debt. Most of the debt was incurred in order to provide physical infrastructure -- such as streets, sewers, and water. During prosperous periods municipalities often incurred unnecessary debt by wasting money servicing land which was subdivided but never built upon ("paper subdivisions"). It became clear that if there was some degree of physical land use planning municipalities could be much more efficient with their capital works programs. Municipalities could then better plan their own provision of services.

In 1936, for example, Norman Wilson, in his report on town planning to the Ontario Land Surveyor's Institute, referred to problems caused by the huge debt municipalities accumulated during the 1920's. He said this debt was due "to extravagant programmes of capital works without study of the community's immediate and future needs, and their relative priority, which is the sine qua non of town planning." [47] Wilson was pointing out what the planning movement had been arguing for two decades, that a comprehensive approach to physical planning would solve many of the city's problems. Due to the financial problems most municipalities faced during the 1930's, Wilson was emphasizing the financial side. "Planning," he pointed out, "is functionally a programme to obtain the maximum in amenities of living for the minimum cash expended." [48] This approach to land use planning, as out-

lined in Wilson's report, was very similar to that which would be adopted after WW II. It is planning as coordination of the location and timing of municipal investment in physical infrastructure. Municipal financial problems in the 1930's, therefore, added another dimension to the arguments in favour of town planning, and especially subdivision regulation. Physical land use planning was beginning to be viewed as a very practical and inexpensive method of improving the efficiency of the provision of municipal services, especially the costly servicing of suburban land. This helps explain why many of those who rejected CCF proposals for planning still advocated planning, though a much more limited version.

The most clear articulation of this approach produced during the 1930's was a report University of Toronto Professor A.F.W. Plumptre prepared for the Ontario Minister of Municipal Affairs. His 1935 Report on the Government of the Metropolitan Area of Toronto was commissioned by the Ontario government to find a way of preventing future financial difficulties in the 12 municipalities surrounding Toronto. Ten of these twelve defaulted on their bonded debt: Scarborough and Long Branch in 1932; Leaside, Mimico, Etobicoke, New Toronto, York, East York, North York, and Weston in 1933. [49] These suburban municipalities existed because the City of Toronto had ceased its policy of annexation after the collapse of the real estate boom in 1913. Annexation meant that the City had to

finance all the physical improvements in these suburbs without gaining very much tax revenue in return. Plumptre recommended complete amalgamation of the City and the twelve surrounding municipalities as the solution to the "metropolitan problem" of Toronto.

The present policy in the city of Toronto and its suburbs is every municipality for itself -- and the depression has taken the hindmost ten into insolvency. This wholesale default among political units surrounding the city has suddenly made us, or at least some of us, painfully conscious that we have a 'metropolitan problem'. [50]

Like Wilson, Plumptre was emphasizing the financial waste which resulted from the lack of coordination of physical growth. His report went into some detail on the key features of the metropolitan problem as he saw it: engineering and administrative inefficiency, financial and social injustice, and political degradation (i.e., too many autonomous governments). This was the same argument that would be made in the late 1940's and early 1950's leading to the creation of Metropolitan Toronto. [51] As the population living in the suburbs increased the need to find an administrative solution also increased. The percent of the population living in Toronto's suburban jurisdiction had more than doubled in the 15 years from 1915 to 1930 (see Table 12).

What is unique about Plumptre's report, however, is not simply its recommendation for an amalgamation, but also its recommendations related to "city and regional planning".

TABLE 12

Population Growth in Metropolitan Toronto
1915-1930

	City of Toronto	12 Surrounding Municipalities	% Outside City of Toronto
1915	464,000	45,500	8.9%
1920	513,000	67,700	11.7
1925	549,000	122,000	18.1
1930	622,000	162,000	20.7

Source: A.F.W. Plumptre, Report on the Government of the Metropolitan Area of Toronto, June, 1935, p. 10.

His arguments and definitions of "good" planning and zoning could have been written in the 1950's or 1960's because they present a very clear statement of the type of physical planning which would be adopted after the war. To Plumptre planning was the co-ordination of public investment in physical infrastructure and the protection of the public interest in the land development process.

In Toronto, indeed in Canada, there is little appreciation of the true nature of town planning. It is sometimes interpreted too broadly and sometimes too narrowly. Some people are inclined to associate dictatorships and the over-riding of personal liberties with any proposal with which the word "planning" is connected. But city planning rightly conceived is simply the intelligent prescription of limits within which private enterprise can be allowed free scope without endangering welfare, liberty or property. . .

. Planning involves the co-ordination of all public utilities -- of electricity supply, of transportation, of water supply, of sewage disposal -- and of all administrative services -- of police patrols, of

fire stations and alarms, of the location of schools, playgrounds, parks and so forth. [52]

Planning also included comprehensive zoning and regional planning. Plumptre's Report was the first Ontario Government report to recommend regional planning, although Ontario would not adopt regional planning measures until the 1960's. [53] He argued that regional planning was necessary because

cities have a tendency to "slop over" their municipal borders and it is absolutely essential for efficiency that the same system of roadways, parkways, zoning and building ordinances should apply to these new developments as to the bulk of the city. [54]

Plumptre also found the piecemeal approach to planning completely unacceptable. "Bad city planning," he argued, "is the piecemeal formulation of unco-ordinated plans for sporadic developments -- a street widening here, the erection of a civic building there, and the bridging of a river or a valley in another section." He said that this was "ad hoc planning" and was "anathema to all city planners who take their work seriously." Good city planning "must be comprehensive and must be undertaken slowly over a period of years." [55]

His view of the planning legislation on Ontario's statute books was the same as that held by the planning movement ever since the Planning and Development Act had been adopted in 1917. The planning act, he noted, should be rescinded and replaced. "It is at present serving no purpose

on the statute books other than to give the erroneous impression that some sort of planning powers really obtain." [56] Amalgamation would help deal with the immediate problem and planning would, in the long run, "safeguard the future." His report made four specific recommendations relating to planning:

1. That provincial legislation, while protecting towns and cities as recommended below, should enforce periodic annexation of suburban areas.
2. The Planning and Development Act, being hopelessly inadequate, should be replaced forthwith.
3. That the province should permit and encourage proper town planning and zoning in all municipalities.
4. That the province should encourage and promote the establishment of a system of regional planning within the Toronto Metropolitan Area. [57]

The approach Plumptre was promoting was similar to that of the town planning movement in that it saw planning as a non-political administrative solution to certain specific municipal problems. [58] The aim was to coordinate the urban development related activities of municipal government. Like the planning movement, he advocated the appointment of a planning commission which would be somewhat independent of city council and composed of experts who were not elected representatives. Once a comprehensive plan was prepared by the planning commission and approved by city council, the commission, not city council, was to administer the plan.

"Thus, while the civic legislative body originally adopts the plan," wrote Plumptre, "a safeguard is given to citizens who, acting in good faith, improve their properties in the expectation that it will be semi-permanent, and not susceptible to the whims of new city councils or to the pressure of sectional interests." [59] This is the type of planning commission which was in fact established throughout Ontario after WW II.

Plumptre's recommendations differed from those of the planning movement with regard to metropolitan and regional planning. Earlier planners, of course, favoured regional planning and occasionally discussed it at their conferences and in their journals. But the conditions of the 1910's and 1920's dictated that they focus on the more immediate problems of subdivision control and zoning. The conditions of the depression led Plumptre to conclude that the "problem of the day" was the financial inefficiency of municipal capital works expenditures and the need to coordinate these expenditures not only within the city but also between the city and its surrounding territory. Without this coordination there could be no long term solution to the financial booms and busts of municipalities.

Though the original town planning movement had largely ceased to exist during the depression, this did not mean that planning was not a public issue. It was the nature and the type of planning that had changed. The town planning

movement in Canada did not address itself to this change. It was a change though that perhaps only an academic like Plumptre could propose. The planning movement was composed of practicing professionals who earned their living from urban growth and attempts to rationalize that growth. When urban growth ceased they were left without work and without a cause. Plumptre, who had no previous relationship with the planning movement, sought a long range solution to a different urban problem. It was not urban growth that concerned him but the lack of growth during depressed periods and the grave municipal financial problems which followed. Plumptre concluded that city and regional planning was the only long term solution. It was a solution that not only dealt with the problems of the depression but also with the types of concerns the town planning movement had all along. Philosophically it was completely in keeping with the political mainstream, in that it sought to stabilize the status quo by introducing a relatively minor expansion of the role of government. City and regional planning would not completely change society, as the CCF had wanted, but it would introduce a more rational administrative logic to city government's handling of land use and development.

Plumptre's position on planning, therefore, represented a clear transition from the earlier approach of the planning movement to the approach which would be adopted in

the 1940's and 1950's and is in effect to this day. There is no record, however, of Plumptre's report being acted upon by the Ontario government during the 1930's. None of his recommendations were implemented. The significance of the report is its clarity and foresight: it was an approach to planning which would eventually be implemented.

As the next few chapters point out, World War II, much more than the depression, represented a major historical break in the pattern of domestic politics and in the role of the state in urban development. Planning becomes a major issue, not only among municipal officials and the planning movement, but among the population in general. Even a conservative Ontario government was forced to introduce a new comprehensive planning act and to institutionalize a planning function in municipal and provincial government. The precise nature of the planning that was to be institutionalized was the subject of much debate between the Ontario Tories and the Ontario CCF -- the CCF ended up losing this battle in 1945.

What was unique about the WW II period was how planning suddenly emerged as a very significant political issue long after the original town planning movement had disappeared. There were very few practicing planners in the country at the time, no planning schools or professional associations, and no prominent national planning figures such as Thomas Adams to actively promote planning. Yet a fairly

detailed land use planning system was established in Ontario
by the close of the 1946 session of the Legislature.

Chapter 6 Footnotes

1. M.C. Urquhart, Historical Statistics of Canada, Toronto: Macmillan Co., 1965, p. 510.

2. Ibid., p. 14.

3. Report of the Lieutenant-Governor's Committee on Housing Conditions in Toronto [The Bruce Report], Toronto, 1934. See also: A. Rose, Regent Park: A Study in Slum Clearance, Toronto: U of T Press, 1958, pp. 38-41. "Demolition of Slum Areas Advised in Bruce Report", CE, Nov. 20, 1934, pp. 7-9.

4. G.S. Mooney, "Housing in Montreal", SW, June-Sept., 1937, pp. 54-57. Montreal Metropolitan Commission, 1376 Dwellings in Montreal and Verdun: Report No. 1 of a Cross-section Survey of Working Class Dwellings, Department of Planning and Research, Montreal Metropolitan Commission, 1937. In 1936 the Montreal Council of Social Agencies also published a housing report: Housing of the Low Wage Earner: Report of Committee of Housing, Montreal.

5. The Report was submitted to council on Nov. 15, 1937. See: P.R.U. Stratton, "Housing in British Columbia", SW, June-Sept., 1937, pp. 62-63.

6. Report on Relief of Housing Conditions in the City of Ottawa, 1935. See also: H.L. Seymour, "Housing in Ottawa", SW, June-Sept., 1937, p. 57.

7. See: "Housing News Across Canada", SW, June-Sept., 1937, pp. 52-63; A.E. Grauer, Housing, Ottawa: Royal Commission on Dominion-Provincial Relations, 1939.

8. See: A. Finkel, Business and Social Reform in the Thirties, Toronto: James Lorimer and Co., 1979, Chapter 7, "The Construction Industry", pp. 100-116.

9. JRAIC, Feb., 1933, pp. 25-28.

10. Ibid., p. 27. See also: "The National Construction Council", ECR, May 31, 1933, pp. 514-515.

11. CE, Nov. 20, 1934, p. 13.

12. Finkel, loc. cit., pp. 103-104; URAIC, July-Aug., 1934, pp. 113-114.

13. Finkel, loc. cit., pp. 112-114.

14. JRAIC, Mar., 1935, p. 46.

15. JRAIC, May, 1935, pp. 85-86. It was only after WW II that a national housing authority was established, the Central Mortgage and Housing Corporation.

16. Finkel, loc. cit., p. 104.

17. JRAIC, Oct., 1935, pp. 166-167; JRAIC, July, 1935, p. 120; JRAIC, Oct., 1936, p. 194.; JRAIC, Nov., 1936, p.201. See also: D.G. Bettison, The Politics of Canadian Urban Development, Edmonton: University of Alberta Press, 1975, pp. 61-65.

18. Quoted in: R. Wilbur, The Bennett Administration, 1930-1935, Ottawa: Canadian Historical Association, Historical Booklet No. 24, 969, p.14.

19. Ibid., pp. 17-18. See also: E. Watkins, R.B. Bennett, a Biography, Toronto, 1963; J.R.H. Wilbur, The Bennett New Deal: Fraud or Portent, Toronto, 1969; H.B. Neatby, The Politics of Chaos: Canada in the Thirties, Toronto, 1972; E.A. Safarian, The Canadian Economy and the Great Depression, Toronto, 1959.

20. See: W.L. Leuchtenburg, Franklin D. Roosevelt and the New Deal, N.Y.: Harper Torchbook, 1963; A.L. Hamby, ed., The New Deal: Analysis and Interpretations, N.Y.: Weybright & Tolby, 1969; and Conkin, P.K., Tomorrow a New World: The New Deal Community Program, Ithaca, N.Y.: Cornell University Press, 1959.

21. Interim Report of the National Employment Commission, Ottawa: King's Printer, June, 1937, p. 5.

22. Canadian Annual Review of Public Affairs, 1935-1936, p. 115.

23. For contemporary comments on the Home Improvement Plan, see: CE, Sept. 22, 1936, p. 11; CE, Oct. 27, 1936, p.14; JRAIC, Oct., 1936, pp. 193-194; CE, Dec. 1, 1936, p. 15; JRAIC, June, 1937, p. 110; CE, June 22, 1937, p. 13; and CE, Aug., 1937, p. 13. For a summary of activity in Toronto, see: J. Banigan, "The Home Improvement Plan in Toronto:", SW, June-Sept., 1937, pp. 59-60. See also D.G. Bettison (1975), pp. 65-67.

24. Final Report of the National Employment Commission, Ottawa: King's Printer, January, 1938.
25. Ibid., p. 101.
26. Ibid.
27. Ibid.
28. Ibid.
29. Neatby, loc. cit., Chapter 5, pp. 75-87. On the 1938 NHA, see: Canadian Annual Review of Public Affairs, 1937-1938, pp. 74-76; Public Affairs, Vol. II, 1938, pp. 127-130; CE, Aug. 2, 1938, pp. 10-11; JRAIC, Apr., 1939, pp. 72-73; and D.G. Bettison, loc. cit., pp. 69-81.
30. Finkel, loc. cit., p.1.
31. W.D. Young, The Anatomy of a Party: The National CCF, 1932-1961, Toronto: U of T press, 1969; G.L. Caplan, The Dilemma of Canadian Socialism: The CCF in Ontario, Toronto: McClelland and Stewart, 1973; and D. McHenry, The Third Force in Canada, Toronto: Oxford University Press, 1950.
32. From: M.S. Cross, ed., The Decline and Fall of a Good Idea: CCF-NDP Manifestos, 1932-1969, Toronto: New Hogtown Press, 1974, p.19.
33. League for Social Reconstruction, Social Planning for Canada, Toronto: U of T Press, 1975 edition (originally published in 1935). The introduction to the 1975 edition provides a brief history of the LSR. A shorter version of Social Planning was published in 1938: LSR, Democracy Needs Socialism, Toronto: T. Nelson and Sons, 1938.
34. Cross, loc. cit., p. 20.
35. Social Planning for Canada, p. 218, emphasis in original.
36. Ibid., p. 451.
37. Ibid.
38. Ibid., pp. 453-454.
39. Ibid., p. 458.
40. Young, loc. cit., p.319.

41. N.O. Wilson, "Report of the Committee on Town Planning", CS, Oct., 1936, p. 17.

42. CE, May 18, 1937, p. 24. Material relating to the NHPA is located in: PAC, Seymour Papers, M.G. 30, B93. Seymour was secretary of the Association.

43. SW, June-Sept., 1937, p. 49.

44. Ibid.

45. JRAIC, Apr., 1939, p.78.

46. Ibid., p. 74; also JRAIC, July-Aug., 1934, pp. 109-112.

47. Wilson, loc. cit.

48. Ibid.

49. A.F.W. Plumptre, Report on the Government of the Metropolitan Area of Toronto, June 20, 1935. Plumptre was a professor in the Dept. of Political Science and Economics, U of T. The report was commissioned by David Croll, Minister of Municipal Affairs, Province of Ontario. A copy of the 184 page report is in the U of T Archives.

50. Ibid., p.4.

51. In 1939, the Minister of Welfare and Municipal Affairs, Eric Cross, pointed out in the Ontario Legislature that there were 125 administrative bodies operating in the Toronto area: 13 municipal councils; 74 educational bodies; 10 utility commissions; 23 other boards and commissions; and 5 miscellaneous bodies. Cross said that some form of metropolitan reorganization was necessary. Globe and Mail, April 18, 1939.

52. Plumptre, loc. cit., p. 91.

53. The need for regional planning was recognised long before the 1930's. Tracy LeMay noted that: "In Ontario, repeated efforts have been made, without success, to include in the Planning and Development Act a provision that each urban municipality must within one year file with the Ontario Railway and Municipal Board. . . , a plan showing the lands which it is desirable should constitute the zone of each municipality for regional planning. It has been felt that this would be the thin end of the wedge and would at least bring

home to the municipalities the knowledge that they had valuable town planning powers that could be used to advantage. . . and public health generally and do so willingly. What is town planning after all but a public health provision?" MRC, Dec., 1929, p. 505.

54. Plumptre, loc. cit., p. 93.

55. Ibid., p. 96.

56. Ibid., p. 160.

57. Ibid., pp. 159-162.

58. The view that physical planning ought to become a normal part of the administrative structure of municipal government was being advocated in the US. See: R.A. Walker, The Planning Function in Urban Government, Chicago: University of Chicago Press, 1941.

59. Plumptre, loc. cit., p. 94.

PART III

ONTARIO'S 1946 PLANNING ACT

Chapter 7

Wartime Proposals for Post-war Planning

The key to understanding why planning emerged as a major issue and as a new function of government during the mid-1940's is found in the impact of World War II on domestic political, social and economic conditions. As Richard Titmuss pointed out in his study of war's impact on social policy, general acceptance of the disciplines and obligations made necessary by war had an important influence on "the aims and content of social policies not only during the war itself but in peace time as well." This influence was due to the fact that the social discipline demanded by a wartime economy was "tolerable if -- and only if -- social inequalities are not intolerable." [1]

The success of the wartime planned economy, combined with the morale-boosting promises of a better post-war world, made social inequalities all the more intolerable. During wartime "morale" had been the word that haunted politicians, civil servants and generals. What the people demanded they had to be given -- or at least promised. Angus Calder pointed out how the sudden break with normal day-to-day routine during the war caused a tremendous amount of social change and the potential for social instability. If not carefully controlled by authorities in power, this instability could result in a threat to the established order.

In a conflict on such a scale, as 1914-1918 had shown, the nations' rulers, whether they liked it or not, depended on the willing co-operation of the ruled, including even scorned and under-privileged sections of society, manual workers and women. This cooperation must be paid for by concessions in the direction of a higher standard of living for the poor, greater social equality and improved welfare services. For the conscripts in the armed forces were dangerous enemies to the old social order; jolted out of their acceptance of it by communal travel, hardship and danger. The rifle aimed at the enemy might be turned on the ruling classes, as it was in Russia. [2]

It is in this context, then, that we must situate reforms initiated during and immediately after World War II in Ontario. World War II brought not only the usual problems of conversion to a wartime economy but also an immediate start on planning for the post-war period -- something which did not happen during the first World War.

As soon as Canada became part of the war effort controls and policies concerned with the immediate wartime situation were introduced quite rapidly. Many lessons had been learned about the management of a wartime economy during World War I. There was much less hesitation and a much greater degree of skill used in shifting Canada to a centrally coordinated wartime economy this second time around. Granatstein points out that the needs of the war "forced the government to intervene massively in the economy" and that the "difference between 1917 and 1941 was the economic sophistication that could now be found within the Department of Finance,

the Bank of Canada, and the Wartime Prices and Trade Board."

[3] Though the needs of the war effort were necessarily dominant, consideration of policies relating to the eventual post-war conversion to peace-time needs were not neglected.

Few officials had forgotten the tremendous social and economic crises which followed the first World War. Such things as the 1919 Winnipeg general strike and the immediate post-war inflation followed by serious recession and high unemployment were more than enough to cause government officials and prominent business leaders to worry about the aftermath of the war, even before the end of the war was in sight. These fears were heightened by the fact that the Great Depression had followed the post-WW I recession by only seven years and was only ended by the new war effort.

There was no logical reason why the post WW II situation would not repeat that of the first World War. Government studies therefore began to examine ways of stimulating the economy to avoid post-war depression, unemployment and housing shortages. Similarly, the government attempted to maintain high morale at home by promising an improved life after the war. All of this required the state to play a much more active role in the economy, so much so that as early as 1943 no political party could avoid promoting, or at least promising, a very active role for government in social and economic policy after the war. The reorganization of the

Canadian economy for wartime purposes was carried out with a great deal of efficiency and with more emphasis on social programs than in WW I. Donald Creighton noted that

The hesitating, fumbling authority of 1914-1918 which had conscripted men, not wealth, and had failed to reach its professed aim of stopping hoarding, profiteering, and rapidly rising prices, had utterly vanished. It had been replaced by a strangely new kind of government which was enforcing administrative controls with a new efficiency, providing new social benefits, and imposing steeply progressive income taxes. . . . Most of these new controls and social welfare increases grew out of the necessities of the war; but others had an earlier origin, in the lessons of the Depression and the recommendations of the Royal Commission on Dominion-Provincial relations. [4]

The success of the wartime controls and related social programs helped demonstrate to the population that "collective action could and should create a far more stable and equitable society" not only during the war but after the war also. [5]

As early as 1940, therefore, the federal government began directing attention to the question of post-war planning policies. In 1940 an Advisory Committee on demobilization and re-establishment and in 1941 an Advisory Committee on Economic Policy were established. Because the problem of demobilization could not be dealt with in isolation from the total post-war economic situation, the Advisory Committee on Post-War Reconstruction was established in September, 1941. This was the major federal body concerned with formulating policy proposals and had as one of its six subcommittees a group specifically concerned with Housing and Community Planning. [6]

The terms of reference stated that this subcommittee was:

To review the existing legislation and administrative organization relating to housing and community planning, both urban and rural, throughout Canada, and to report regarding such changes in legislation or modification of organization and procedure as may be necessary to ensure the most effective implementation of what the subcommittee considers to be an adequate housing program for Canada during the years immediately following the war. [7]

In addition to the Advisory Committee on Reconstruction, which was chaired by Dr. Cyril James, President of McGill University, the House of Commons established its own Committee on Re-construction and Re-establishment and the Senate established a Committee on Economic Re-establishment and Social Security. In the field of social policy, a special Advisory Committee on Health Insurance was established in 1942, with its report of March 1943 recommending comprehensive health insurance for all Canadians. Released at the same time as the report on health the Marsh report on social security, a Canadian version of the popular British Beveridge Report, proposed a broad range of social programs, many of which have since become the foundation of the post-war Canadian welfare state. [8] In addition, the federal government finally introduced its unemployment insurance program in 1942, and in 1943 introduced its program of family allowances. As a result of the various studies and proposals for post-war planning, three new federal ministries were created in 1943: the Ministry of Veteran Affairs, the Ministry of Reconstruction (charged with

the task of promoting a high level of employment), and the Ministry of National Health and Welfare (charged with administering the rapidly growing social welfare system). [9]

In Ontario, discussion of post-war planning began in 1940 but because of the rapid disintegration of the ruling Liberal Party, little was implemented until the 1943 election and its resulting change in government. However, there was some debate in the Ontario Legislature on the issue of planning. For example, in 1940, a Liberal member, Charles O. Fairbanks, argued that post-war planning should begin immediately:

A very important consideration is that, as industries expand and new ones are built in Ontario, they should be established where each workman can built his own home, cultivate his garden, and become independent in his own right. Industry, although it has accomplished much toward improving working conditions, must further realize that the greatest efficiency is obtained through the happiness and well being of its employees. It has been observed that the happiest workers are those in smaller communities. Thus decentralization would undoubtedly help to cushion the drastic readjustment at the termination of the war and to lay a firm foundation for ideal industrial conditions afterward. [10]

Though post war planning was being discussed, not much was being accomplished in the early 1940's. When George Drew, the Leader of the Progressive Conservative opposition in the legislature, proposed some concrete measures, they were either ignored or voted down by the Liberal majority. In March 1941 Drew proposed that an Intergovernmental Planning

Committee be established to prepare for the post-war era. He argued that the province and the country "must be prepared before peace comes to deal with the tremendous social and economic convulsions which will follow this war. There must be intelligent planning on such a scale as Canada has not yet dreamed of." [11] Drew's motion a month later calling for the creation of an Ontario Town and Country Planning Commission was rejected by a 49 to 18 vote. The government claimed that the Department of Municipal Affairs was capable of giving all the necessary planning assistance a municipality might require and that there was no need for such a new agency. [12] A year later another Conservative MPP, W.J. Stewart, called for the establishment of a post-war planning committee, urging that it be a non-partisan commission aimed at finding ways of transforming Ontario's wartime economy to a peacetime economy. "People are asking the question, after the war what?" he said. "Steps should be taken to assist in the post-war reconstruction period." But as with the other proposals, nothing came of this one either. [13]

In 1943, with the end of the war appearing to be close at hand, and with a provincial election approaching, the amount of debate over planning increased. Promises of post-war planning made good campaign material. Politicians in all parties noticed the increase in popular concern for improved post-war conditions. Why go through all the sacrifice and

hardship of wartime conditions if post-war conditions would resemble the hardships of the 1930's? The fact that the wartime economy was effective as a result of planning and centralization was not missed by the public either. A Liberal member of the legislature, John J. Glass, took note of this when he stated that:

The Canadian people have been impressed by the fact that all warring nations are able to find all the means that they require for war purposes. They are able to achieve this mostly by a planned economy. With these facts staring them in the face, the citizens have come to the logical conclusion that something similar will have to be adopted in our country for the post-war period if we are to weather such periods successfully. [14]

He warned that if post-war conditions were not good citizens would become disillusioned and lose faith in their elected representatives.

Except for such discussion and the occasional fruitless proposal from the opposition, Ontario's Liberal government initiated little in the way of post-war planning. Mitch Hepburn, the Liberal Premier of Ontario, was too occupied fighting Mackenzie King, the Liberal Prime Minister, over international affairs and the conduct of the war, to pay very much attention to provincial matters. In the August 1943 election he would pay dearly for this neglect. The election resulted in a Tory minority government with a CCF official opposition. [15]

While the debate over post-war planning was taking

place at the provincial level, the City of Toronto was initiating its own post-war planning activities, which included a major emphasis on city planning and housing. Not since the late 1920's, when the Department of Planning and Surveying and the Advisory City Planning Commission were created, had Toronto engaged in planning activity to any great extent. But the 1940's, with a booming war time economy, presented a different story. On March 23, 1942 the Toronto City Planning Board was established as a purely advisory board, not a "town planning commission" under the 1917 Town Planning Act. The Board was established on the request of the Toronto Board of Trade. The Board of Trade recommended that the new Planning Board "consist of a total of seven public-spirited property-owning citizens, persons who are accustomed to receiving and analyzing advice." City Council established a seven-member board with representatives from industry, trade, commerce, labour and the city council. [16] The new Planning Board was allocated a budget of \$4,700 for its first year. In 1943 its budget was increased to \$18,000 and in 1944 to \$34,000.

In 1943 the Toronto Reconstruction Council (later called the Civic Advisory Council) was established by City Council to advise it on post-war planning. It was composed of leading figures from a broad range of organizations in the city, including welfare, church, commercial, industrial, labour and public utilities organizations. It operated

through a variety of standing committees, each embracing some particular concern. One of the more active was the Housing Committee, which played a major role in Toronto's early slum clearance and public housing activities. [17] Nonetheless city planning remained the activity of the City Planning Board and the Planning Commissioner, Tracey D. LeMay. A comprehensive master plan for the city was proposed in the Planning Board's second annual report. It was a 30 year plan with a major emphasis on transportation. In 1944 the Council voted \$50,000 towards detailed studies of the master plan's proposals. [18]

These types of activities were also occurring throughout the rest of Canada. By 1943 or 1944 most provinces had established some form of post-war planning agency and many of the larger cities were initiating housing and planning activities. The basic theme was that public works would have to be provided to create jobs for returning veterans and that the housing stock would have to be increased for the anticipated rise in family formation after the war. The location of new housing and new municipal infrastructure would have to be coordinated -- that is, some form of land use planning would have to take place if waste and inefficiencies were to be avoided.

This planning for the post-war period can be seen as an attempt by the established political parties, the Conserva-

tives and the Liberals, together with powerful business interests represented by Boards of Trade and groups such as the Canadian Manufacturers Association, to walk the tight rope of providing expanded social services and other reforms while at the same time maintaining conditions in which the "normal" laissez-faire relations between the public and private sectors could be resumed. The president of the Bank of Montreal stated, for example, that:

When the war is over, it is essential that government controls and regulations be removed with all possible speed, for if we are to continue in a system of free enterprise for which we are fighting, it is to private enterprise that we must look for resumption of normal activities. . . . Never let us forget that on the shoulders of free enterprise stand those other freedoms that make up democracy -- freedom of conscience, freedom of speech, freedom of labour, and equality before the law. [19]

The defendants of the capitalist system were forced more and more onto the defensive as each war year passed. A Gallup Poll in 1944 revealed that 65 per cent of Canadians interviewed were of the opinion that government "should take the lead in setting up and carrying out plans to provide postwar employment" while only 23 per cent said that private industry and business should take the lead (12 per cent were undecided). [20] It was in this changing political climate that the move towards planning can best be understood.

As the Canadian population moved further to the left, which in electoral terms meant supporting the CCF, social

reform and planning were increasingly embraced by the two major parties. This dramatic move by the Canadian electorate towards the CCF over a period of just a couple of years proved to be the most significant factor shaping domestic policy. In the 1938 provincial elections the CCF did not win any seats and in the 1940 federal elections they won only 8% of the popular vote. However, the CCF's program and its slogan "conscript wealth as well as men" began to attract wider popular support as the war progressed (see Table 13). By September, 1943 the Gallup Poll showed all three parties with roughly equal popular support. [21]

TABLE 13

Federal Party Standings in Gallup Polls,
1942-1943
(%)

	Liberal	Conservative	CCF	Bloc Populaire	Others
Federal Election, 1940	55	31	8	--	6
1942					
Jan.	55	30	10	--	5
Sept.	39	23	21	--	17
Dec.	36	24	23	--	17
1943					
Feb.	32	27	23	7	11
May	36	28	21	10	5
June	35	31	21	8	5
Sept.	28	28	29	9	6

Source: The New Commonwealth, Oct. 14, 1943, p. 1.

The CCF's popular support was not confined simply to the polls. The party also won a surprising number of by-elections. In the twelve by-elections held between 1941 and 1944 in western Canada the CCF won eight seats while the Liberals and Conservatives did not win any. [22] The most dramatic CCF victory came in Ontario in February, 1942. A practically unknown CCF candidate in Toronto's York South riding, Joseph Noseworthy, defeated the former Prime Minister of Canada and Leader of the federal Conservative Party, Arthur Meighen. The riding had returned conservative candidates consistently since 1904 yet Noseworthy defeated Meighen by a very large margin, 16,408 votes to 11,952. [23] Since the CCF had entered the campaign with little, if any, expectation of winning, a victory of such magnitude provided a tremendous boost to party morale and was a clear sign of things to come. As Caplan noted in his history of the Ontario CCF, their "spectacular success in York South ushered in the golden age of Canadian socialism. Noseworthy's victory had the immediate effect of reinvigorating the party and reawakening its enemies." [24]

As its popular support grew, the other two major parties began to view the CCF as a major threat and began to adopt policies resembling those of the CCF. It was in early 1943 that Mackenzie King began to see the CCF as a much greater threat than the Tories. Jack Pickersgill notes that

King "was much more disturbed by the rising strength of the CCF" than with the Conservatives, and he felt the CCF "must be countered by increasing emphasis on the post-war policy of the Liberal government." [25] This was certainly one of the major reasons why the federal Liberals began introducing domestic social legislation and post-war planning measures in late 1942 and 1943.

Even the Tories underwent major changes in 1942 and 1943. They went so far as to change their name from the "Conservative Party" to the "Progressive-Conservative Party" at their Winnipeg national convention in December, 1942. They convinced John Bracken, the Farmer-Progressive leader of Manitoba, to become their new leader replacing Meighen. They also adopted new party policies aimed at gaining some of the benefits from the mounting popularity of social welfare and state control of the economy. [26] Their 1942 policy statement adopted at Winnipeg was a good example of this. It stated, among other things, that "it is the duty of the state" to "initiate, undertake and control projects of public and national benefit in those fields in which private enterprise is precluded from serving or is unable to serve the public interest." It called for a social security program consisting of a unified system of unemployment insurance, retirement insurance, increased old age pensions, pensions for the blind, and more adequate mothers' and widows' allowances. In the

field of housing, the Tory program stated that "we advocate a national long-range low-cost housing plan, including home improvement, underwritten by the government, designed to make houses available on a lease-purchase basis to all families, whether urban or rural, who are in the lower income brackets." They also advocated that slum clearance, "because of its social benefits and employment possibilities, should be undertaken as a government responsibility, in order to provide housing on a minimum cost basis, for those unable to pay the full cost." For labour, they promised collective bargaining with "full freedom of association, organization and designation of representatives of their own choosing" together with the establishment of a National Labour Relations Board with equal employer and employee representation. [27]

Even though this program represented a dramatic change for the Conservative Party, at least at the level of promises, it was still a far cry from the CCF's program. Although it attracted little electoral support in the 1930's, the CCF's program caught the imagination of a much broader segment of the Canadian population during the war, much to the surprise of even the CCF itself. At their 1942 national convention in Toronto, CCF'ers reaffirmed their support of the 1933 Regina Manifesto and adopted a comprehensive Statement of National Policy outlining the type of society the CCF wanted to build. The Regina Manifesto made planning the first plank

of their program, but it was not simply urban planning they had in mind; rather they sought the "establishment of a planned, socialized economic order" in which "the principle regulating production, distribution and exchange will be the supplying of human needs and not the making of profits." [28]

Their 1942 national program called for comprehensive planning of the economy, not only during the war but also after. The planning plank stated: "To ensure the minimum dislocation in changing a war to a peace economy, the CCF calls for the immediate establishment of a Post-War Planning Commission, truly representative of all classes of the community. The existing Cabinet Committee on Reconstruction is unrepresentative in personnel, and devoid of any positive policy for democratic reconstruction." [29] The housing plank stated: "We must rebuild our cities and undertake regional planning on a wide scale. Slums must disappear. The creative contributions of Canadian artists must be utilized in beautifying town and country life." The program ended with a reference to the Regina Manifesto, stating that the "indictment of capitalism made in our Regina Manifesto of 1933 is ever more apparent today; and the remedy more urgently needed." The CCF called for "social planning on a democratic basis" as the solution for Canada and as the central aim of their party. [30]

Though all parties realized that the CCF was quickly

gaining unprecedented support, it was the 1943 Ontario and 1944 Saskatchewan provincial elections that forced the two major parties to promote their own brand of post-war planning all the more vigorously. In Ontario, the CCF captured 34 seats, four short of forming the government. The ruling Liberals suffered a disastrous defeat, falling from 59 seats to a mere 15. The Progressive Conservative Party formed a minority government with 38 seats (up from their previous 19). In addition, two communists were elected to the Legislature, both from working class Toronto ridings (Bellwoods and St. Andrews). [31]

In Saskatchewan, the CCF victory was much more complete and dramatic. They captured 47 of 52 seats. Prior to the election they held only 11 seats. As an article in Canadian Business warned at the time, these victories provided "a challenge to our old parties. If they can successfully satisfy this growing collectivist hunger and yet retain the essentials of private enterprise and democracy, the CCF may be stymied. If they can't --" [32] The article ended by warning businessmen not to "under-rate the CCF as a potential national political force" and to take actions to counter their popularity. [33]

The counter-measures, of course, took the form of broad promises of a much better post-war society based on sound planning. Urban planning began to become an increas-

ingly important focus of these promises. In Ontario the CCF had a great deal of success in the predominantly urban ridings. The CCF took 34 of Ontario's 50 urban ridings, with an amazing 40% of the vote, while the conservatives received 32% of this urban vote and the Liberals only 26%. The CCF won a majority of the seats in Toronto, all but one of the seats in Hamilton and all but one in Windsor. In the province as a whole, the Conservatives received 36.7% of the vote, the CCF 32.4% and the Liberals 30.9%. [34]

By late 1943, therefore, the political climate in Ontario had changed dramatically. Planning was no longer an ideal being advocated by a small group of dedicated enthusiasts. The change in domestic politics brought about by the war forced the Ontario Conservative government into both wartime economic planning and consideration of post-war economic and physical planning. The issue then became what type and how much planning should be implemented. It is here that the philosophical differences between the Tories and CCF became most clear.

Chapter 7 Footnotes

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Chapter 8

Proposed Planning Legislation in Ontario, 1944-1945

During 1944 and 1945 more planning and housing bills were introduced in the Ontario Legislature than ever before or ever since. Only one of these was adopted: the act establishing the Ontario Department of Planning and Development. All the CCF bills were voted down by Tories and Liberals and in 1945 even the Tories' own Town Planning Act was not adopted because of the early dissolution of the Legislature. In the election that followed the Conservative Party captured enough seats to form a majority government. In the 1946 session of legislature that followed, the Conservatives adopted a Planning Act which, although amended many times, remains on the statute books today. This chapter examines the five planning bills which were introduced during the 1944 and 1945 sessions of the Ontario Legislature, prior to the adoption of the 1946 Planning Act.

TABLE 14

Planning Legislation Introduced in the Ontario Legislature,
1944-1946

1944	<ul style="list-style-type: none"> • Department of Planning and Development Act (Porter, PC, adopted) • Town Planning and Housing Authority Act (Warren, CCF)
1945	<ul style="list-style-type: none"> • Toronto Planning Act (Roberts, PC) • Community Planning and Housing Authority Act (Warren, CCF) • Town Planning Act (Porter, PC)
1946	<ul style="list-style-type: none"> • Planning Act (Porter, PC, adopted) • Toronto Planning Act (Roberts, PC)

8.1 The Department of Planning and Development Act, 1944

In the 1944 Throne Speech the Drew government promised that a Department of Planning and Development would be established. Its purpose would be to prepare "plans in all fields of provincial responsibility so that the development of our great resources and the stimulation of production will provide employment for our people." [1] The government was not yet sure what approach it would be taking towards planning nor even how extensive a planning program would be required. There were pressures for planning coming from two sources: popular demands to improve post-war living conditions, and economic pressures relating to the transition from a wartime to a peacetime economy. Thus the Department was established with a very broad and very vague mandate, leaving the govern-

ment enough room to implement as much or as little of whatever type of planning they wanted.

Leaving the mandate of the Department this broad, however, created political problems of another sort. Many people believed that extensive planning would in fact be implemented -- which proved not to be the case. The Drew government was very criticised for not delivering on what appeared in the Throne speech to be a very active and extensive role for government in both economic and physical planning. The promises made in the Throne Speech were indeed very broad and included physical land use planning and housing programs:

It will be one of the functions of this department to develop town and country planning, to prepare housing programmes, to assist in the conversion of war industries to peace production, to coordinate the planning activities of Ontario Municipalities, and also the post-war plans of the various provincial departments. [2]

When it was adopted, the Act creating the Department stated that it was the duty of the Minister to work with all public and private agencies or groups "with a view to formulating plans to create, assist, develop and maintain productive employment and to develop the human and material resources of the Province and to that end shall co-ordinate the work and functions of the public service of Ontario." [3]

With such a broad mandate, all the parties in the Legislature supported the creation of the Department. The act

had no difficulty passing through Legislature, and received Royal Assent just fifteen days after it was first introduced. Premier Drew himself introduced the legislation, stating that his government "attaches utmost importance to this department." [4] The only real question raised by the opposition was how seriously the government would take the question of planning and how important a role the new department would have. Joseph Salsberg, for example, one of the two communist members, stated that the measure "is generally welcomed by all people in the province . . . as one of the essential features of a rounding-out, comprehensive post-war measure." [5] He argued that the department should be "the key department of the Government for the next immediate period of time", and not just another separate small department. [6] Together with the other MPP's on the left, Salsberg was impressed with the scope of the functions of the new department as outlined by the Government, but he was also quite sceptical about how committed the Tories were to planning. Salsberg pointed out that the planning task outlined in the Throne Speech was colossal. It is, he said, "a task to plan for the development of new industry, it is a plan to deal with a great problem of public housing, slum clearances, civic improvements," requiring a department which would be "one of the most energetic within the Government..." [7]

Ted Joliffe, the leader of the CCF official opposi-

tion, also supported the bill with similar reservations concerning the importance the government would attach to the department. In a radio address on post-war planning shortly after the department was established, Joliffe stated that the creation of the Department of Planning and Development "can be a very important measure." But, he added, "It all depends on how much and how far the Government is prepared to use that Department for planning purposes. It could be of no importance at all. It could also be made the most important of all Departments in the Ontario Government. For that reason we supported the move to create it." [8]

Another related concern of the opposition was just how open and democratic the Tories would be in developing post-war plans. One MPP recommended the establishment of an advisory committee made up of representatives of a cross section of the population. Another MPP advocated the creation of a standing committee of the legislature. Drew stated that he had every intention of consulting with all groups in the province interested in post-war planning. "We propose," he said, "to bring together all the interested parties, and there is a statute already on the statute books which provides for the setting up of a committee on rehabilitation, which tied in with this Act, can bring together all the various activities of the province." [9] Drew indicated that he simply wanted more time to decide the best method of obtaining advice from

interested parties.

Aside from comments such as these, there was very little discussion in the legislature of the bill creating the Department of Planning and Development and it was routinely adopted by voice vote. It was clear, however, that there were very different interpretations of the meaning of planning and how central the new department would be. While the CCF and other progressive members were stressing broad economic and physical planning, Tory members continually stressed the more immediate and limited objective of creating jobs by promoting private economic expansion. During the debate, for example, one Tory MPP, Stanley Hall, praised the establishment of the new department in terms of its potential for promoting economic development. The department, he said, would put Ontario in the position of being able to attract "both industry and immigration of the right kind and at the right time." [10]

An editorial in The Evening Telegram supported creation of the department for similar reasons. The newspaper saw the role of the provincial department as helping to curb municipal "undertakings which cannot be defended either on grounds of necessity or the public interest" and that it could be of "considerable value in the co-ordination of legitimate planning to meet undoubted needs." Businessmen, while favouring government action, were concerned about too large a government role. They felt the provincial role should be

limited to reconciling various points of view, since only the province could act "as a neutral" agency "with a wider view" of "the actual needs" of the whole province. [11]

8.2 The Town Planning and Housing Authority Act, 1944

Although the bill creating the Department of Planning and Development sailed through the legislature with no problem, and with very little discussion, a bill introduced at about the same time by the CCF to enable municipalities to establish planning and housing authorities had no such luck. The Drew government was not prepared to introduce legislation or support adoption of a general planning act in 1944. They wanted more time to write their own act, a responsibility given to the newly created Department of Planning and Development.

The CCF's Town Planning and Housing Authority Act was introduced by Fred Warren, the CCF's housing critic from Hamilton-Wentworth riding. Warren was a professional architect, a member of the Ontario Association of Architects and the Royal Architectural Institute of Canada. He argued that the question of post-war planning had been put off long enough and that municipalities needed more extensive planning authority than was provided by the outdated Planning and Development Act. In defending his bill, Warren argued that everyone agreed that the "question of post-war work is an important

matter" but that it kept being put off. [12] He favoured giving the municipalities a free hand to carry out their own plans. Warren said his proposal was simply an "enabling bill to enable municipalities to make plans" for the post-war period and that the legislature should at least "give the municipalities a chance to put into effect these plans." [13]

Joliffe argued that there was little if anything in the bill that was inconsistent with the government's current policies. The act would simply confer on municipalities some new powers which corresponded to the aims of the Department of Planning and Development. He argued that municipalities did not lack the power to make plans "but they lack the power to carry them very far and do anything about them -- and no definite encouragement has been given them to file such plans.

..." [14] He reiterated that there was nothing in the bill to embarrass the government and thus could not see why the government did not support it.

Grieve Robinson, the CCF's critic on planning and post-war rehabilitation, who was from the urban riding of Waterloo South, argued that the CCF bill supplemented the Department of Planning and Development Act and had the same basic principles. Since the province was establishing a planning authority, a bill enabling municipalities to initiate their own planning would help further the aims of the new department. [15] The debate continued for some time and the

CCF was puzzled by Tory resistance to such an apparently innocent measure.

The CCF bill itself was very brief, only three pages. It would give municipalities the power to establish planning and housing authorities without setting out any limitations or provincial regulations on these authorities. The duty of the planning and housing authority would be to conduct a survey of housing conditions, determine the need for housing, and then develop a plan for the municipality. The authority would be able to purchase and expropriate land, and build and manage housing projects. In addition, municipalities would be given authority to enter into agreements with other levels of government for the construction of housing. This section referred mainly to agreements with the federal government in order to take advantage of the provisions in the National Housing Act. Before using any of this authority the municipality would be required to develop a master plan which was to be approved by the Department of Planning and Development.

The main difference between this bill and the 1917 Planning and Development Act was that municipalities would gain more authority over the purchase of land and the construction and management of housing projects. Preparation of a master plan was also made mandatory. While the land use provisions of the 1917 act were almost exclusively concerned with subdivision control, the act the CCF proposed concerned

land use planning in its broadest definition. The act specifically mentioned the establishment of municipal planning standards for such things as: acreage of green space; proportion of open space around buildings; the allocation of services such as stores, theatres and public buildings per 1,000 population; the distance of schools, shops and work from housing; the frequency of transit service; availability of utilities; and the provision of health services.

Drew was quite firm in his opposition to the bill. He was not prepared to give municipalities a free hand in defining their own approach to planning and housing programs. Once again the basic philosophic difference between the left and the right in the legislature over what was meant by "planning" became clear in the course of the debate. The Drew government wanted to keep firm centralized control over the nature of local planning activities and did not want municipalities to get carried away with programs which could interfere with the private sector. He cited Section 6 of the CCF bill which would enable municipalities to "purchase, lease, acquire or expropriate lands and buildings in the area under its authority for housing projects, green belts, parks or recreation areas or for slum clearance." He said his government was not prepared to give municipalities such general authority to engage in the purchase and expropriation of land. Both he and his Minister of Municipal Affairs favoured postponing municipi-

pal planning legislation since they had not yet decided how to approach the matter. Drew stated that he wanted to call together heads of all the municipalities to discuss the type of planning and housing authority they needed once the Department of Planning and Development was established. He did not want to enable cities to do what they pleased. [16]

The Tories took the general position, therefore, that municipalities should not be given any authority beyond what was immediately required and only then with the provision that there be adequate provincial supervision. They wanted the Department of Planning and Development to begin functioning first before determining municipal planning authority. CCF members spent a great deal of time arguing unsuccessfully that municipal planning should begin before urgent housing problems developed at the end of the war. Referring to the financial difficulties cities underwent during the depression, Warren argued that "it was a lack of planning which ran these municipalities into these great debts and that is what we are trying to evade at this time, and if we are properly planning post-war work we will not get into this difficulty as we did before." [17]

Despite the efforts of CCF members, the bill went down in defeat by a vote of 46 to 33 the very day it was introduced. [18] Planning, especially the planning of housing, and the government's slow and highly centralized

approach to it, were issues the Ontario CCF used quite frequently against Drew's government. Their newsletter, for example, noted that

One of the difficulties involved in any Municipal Housing Program in the Province is the lack of empowering legislation. The CCF Housing Bill presented at the last session of the legislature would have made provision to meet this very difficulty It is clear that little progress will be made in any housing project no matter how elaborate until some of these basic difficulties are dealt with. This was the purpose of the CCF Housing Bill. [19]

The CCF also continually pointed out that the Tories mentioned the words "after the war" whenever they outlined their promises of vast social welfare programs. Rather than waiting for after the war, the CCF argued that "if we are to have full employment after the war we must start our programme of expansion of public enterprise, housing and rehabilitation now."

[20] Though both the Tories and the CCF were advocating "planning", they had little in common when once considered what "planning" meant, when it should be done, and how it should be done. The 1944 session of the Ontario legislature ended on April 5, the day of the extended debate over the CCF planning act. No new planning act was adopted.

8.3 Toronto's Request for Planning Legislation, 1944

During 1944 the City of Toronto also requested that it be given broader planning powers, though the city did not

draft a specific Bill for submission to the Legislature. The City's 1943 Master Plan, however, contained a detailed shopping list of 11 specific types of planning authority which they needed to carry out the plan. The city urged the Legislature to adopt the necessary legislation during the 1944 session, but without any success. The Legislature amended the Municipal Act to allow Toronto to establish municipal parking lots, but no other action was taken on the city's request. The 1944 Annual Report of the City Planning Board pointed out the kind of legislation they sought:

the abolition of the sale of land by metes and bounds; the right to refuse approval of a subdivision on the grounds that it was premature; the marshalling of land and consolidation of sites for redevelopment purposes; the right to establish a reserve fund for the implementation of the Master Plan by appropriations thereto out of revenue; the establishment of building set-back lines on business streets as a preliminary to the widening of any such street; the dedication for park purposes of 5% of any land to be subdivided into building lots; the right to regulate the external design and appearance of buildings; the right to prevent the erection of buildings on the sites of projected streets; the establishment of municipal parking lots; the power to set up a joint planning authority for a group of two or more municipalities. [21]

As with the CCF's proposed bill, the Drew government did not want to act on the city's request for general planning authority, although they responded to the most concrete request -- the establishment of municipal parking lots. The City was told that any additional legislation would have to wait for the establishment of the Department of Planning and

Development.

It should be noted that although the CCF and the City of Toronto both advocated expansion of municipal planning authority, they were not working together on the issue, nor did they share the same basic philosophical approach. On the contrary, municipal officials and the local business elite of Toronto had just finished a successful battle with the CCF in which all CCF candidates in the Toronto municipal elections on Jan. 1, 1944 were defeated. The City's request for legislation came, not from members of City Council, but from the City Planning Board. The businessmen on the planning board were interested in seeing more adequate municipal infrastructure (roads, sewers and transit) provided for further economic growth in the city.

One example of this difference arose during 1944 over the location of housing being built by the Federal government's Wartime Housing Corporation. Both the CCF and the City supported construction of housing but their agreement ended there. In September, 1944, the CCF attacked the City for having stymied the wartime housing program by "the inept selfish policies of municipal authorities dictated by large real estate owners."

A case in point is the present plight of the City of Toronto where the council has not had the courage to make available high class, but vacant, residential lands for servicemen's families. When Wartime Housing finally and too late agreed to erect temporary homes, Toronto offered such poor sites that

the federal agency has agreed to build only 150 dwellings. The City has also ordered pre-fabricated houses, many of which may be set up on lots beside railway tracks in most objectionable surroundings.
[22]

During 1944, therefore, the issue of new planning legislation for the Province of Ontario became a major issue for the first time since the 1920's. Also for the first time the different positions relating to planning were becoming clearly articulated. The Drew government was in the process of deciding what it thought the planning function of government ought to be. Planning professionals, such as the City of Toronto's planners and planning advisors, had already worked out an approach to land use development, as represented in the City's 1943 plan. From the left, the CCF advocated a comprehensive and openly democratic approach, allowing local municipal officials to decide what was best for their community in terms of land use planning and municipal housing programs. From the right, the business elite advocated a role for government planning limited to the coordination and planning of public infrastructure which would assist and promote private sector investment. Businessmen did not support any approach which would allow any level of government to carry out activities which would constrain or replace the private sector.

8.4 The Community Planning and Housing Authority Act, 1945

During the 1945 session of the Legislature three bills were introduced as replacements for the 1917 Planning and Development Act. One bill was introduced by the CCF, one by the City of Toronto, and one by the Drew government. The Tory bill would likely have been adopted if the sitting of the Legislature had not been cut short by a vote of no confidence in late March. Drew called an election for early June, leaving a great deal of legislation, including all three planning bills, to die after first reading.

The bill introduced by the CCF was very similar to the one they introduced in the previous session of the legislature. The 1945 version, called "An Act to enable Municipalities to establish Community Planning and Housing Authorities", contained very minor changes in wording and a slightly expanded definition of the duties of a municipal planning and housing authority. The list of functions included the development of a master plan defined as "a series of detailed plans covering all elements of a basic municipal plan including details of location and land use of the entire area planned."

The emphasis of the CCF's 1944 bill was on enabling municipal authorities to improve housing conditions whereas their 1945 bill, in addition to housing, would enable municipalities to adopt bylaws enforcing provisions of a master

plan, bylaws authorizing municipal councils to acquire any land for any public purpose required by the master plan, and finally, to hire qualified professionals to prepare the plan. The bill was comprehensive in scope and left most of the policy decisions with municipalities, rather than being centrally determined and supervised by the province. The bill was introduced on March 6 but because of the dissolution of the legislature only two weeks later, it did not come up for any debate or even for second reading.

8.5 The Toronto Planning Act, 1945

Although the CCF's proposed planning legislation would have met most of the needs of the City of Toronto, there was still no interaction between the two groups. City officials began very early in 1945 drafting their own private planning and housing bill for submission to the legislature. They did not know at the time that the Tories would also be introducing a bill.

Even though Toronto did not have the necessary enabling authority from the province, it continued to prepare proposals and draft bylaws relating to planning, housing and zoning. After several years' work, Toronto City Council adopted the City's first comprehensive a zoning bylaw on December 19, 1944. Its aim was to "regulate the use of land and the use, bulk, height and location of buildings and to

prohibit certain uses of certain lands and buildings in the City of Toronto." [23] It was a very detailed set of regulations, running 99 pages, including 27 maps, establishing five different types of residential districts and four different categories of commercial and industrial districts. Since the city did not have authority to implement such a bylaw, a proviso was attached stating that "This bylaw shall come into force upon, from and after being validated by the Legislature of the Province of Ontario." [24] The bylaw was never validated.

Early in 1945, the city began the process of deciding what type of planning and zoning legislation they should request from the forthcoming session of the legislature. On January 16 the City's Board of Control instructed the City Solicitor to report on the nature of the legislation which would be required. During the following weeks, the Mayor's office, the Commissioner of Planning, the City Solicitor and the City Planning Board discussed the question of legislation. By January 30 a draft bill had been prepared by the City Solicitor with the assistance of John G. Galbraith, the Community Planning Advisor of the National Housing Administration, and T.D. LeMay, the City Planning Commissioner. This draft was revised slightly at a meeting on January 30 in Mayor Saunders' office. The meeting included the Mayor, Controller Stewart Smith, A.E.K. Bunnell (the Secretary of the City

Planning Board and Director of the Board's Advisory Technical Committee), John Galbraith and Tracy LeMay. [25]

Mayor Saunders supported the zoning bylaw but only supported the 1943 master plan with a number of qualifications. He pointed out to the Planning Board, however, that he was a firm believer in planning and wanted to see the purely advisory planning board reconstituted into a permanent body with definite statutory powers and tied to the City Planning Department on the same basis as the Board of Health. Saunders was the central figure in sorting out the various proposals for legislation. [26]

After the meeting in his office, the Mayor brought the draft bill to a special meeting of the Planning Board two days later. Saunders had requested the special meeting in order to discuss the bill before it went before the Board of Control. After a clause-by-clause discussion, the Planning Board voted to endorse the proposal. [27] On February 5, the City Council also endorsed the proposal and instructed the City Clerk to apply to the Legislature for adoption of the City's request as a private bill.

By February 16 the City's private bill, titled "An Act to authorize the Corporation of the City of Toronto to Plan and Zone the Municipality", was tabled in the legislature. The bill was introduced by A.K. Roberts, a Tory MPP from Toronto, and was referred to the Committee on Private

Bills. The bill was reviewed by the Committee and sent back to the legislature on March 20, 1945 without any amendments -- just two days before the legislature sat for the last time.

[28]

The bill had a preamble stating that it was "essential that there should be established a continuing planning policy for the overall development of the City of Toronto, and for regulating and controlling the use of land, buildings, structures and improvements in order to improve living conditions, create conditions favourable to the development of industry and provide maximum employment for the inhabitants of the City. . . ." The bill's major feature was the provision for the establishment of a Toronto Planning Board with broad powers for developing and enforcing an official plan. The official plan was to establish "a proper functional relationship between the several parts of the City and for providing an efficient arrangement of municipal services" and to regulate "the use of land, buildings or structures, the delineation and improvement of neighbourhoods or communities, school and recreational facilities, the subdivision of land into building lots, public works and improvements including highways, slum clearance, low rental and other housing projects."

In addition to preparing the official plan, the planning board was also to be given the responsibility of preparing an annual program of public works, projecting prio-

rities over a five year period. This is an indication of the planning that the business community in Toronto wanted -- the planning and coordination of municipal infrastructure to support and promote growth as efficiently as possible. The aim was not to have the city interfere or replace the private sector urban development process, but to provide the preconditions for such development. Since municipal elections took place annually, with mayors and aldermen continually changing, the planning board was seen as a body which would partially remove the vital question of the construction of infrastructure from day-to-day politics. The City's proposed planning act would have made it difficult for city council to amend the five year public works plan. If proposed amendments to the plan were not acceptable to the planning board, a three-fourths vote of council would be required. The planning board was to consist of four ratepayers who would serve five year terms, plus one member of city council. A member of the planning board could be removed only by an order from a judge and only for some form of grave misconduct. Thus, the planning function of the city was to be somewhat protected from political influences.

8.6 The Town Planning Act and the Early Dissolution of the Legislature

Just two days after the City's planning and zoning bill received first reading, Dana Porter, the Minister of Planning and Development, introduced the Government's planning bill, "An Act respecting Town Planning." This planning bill also received first reading. But neither the City's nor the government's planning bill reached second reading. On the same day that Porter introduced the government's planning bill the CCF moved a motion of non-confidence which the Liberals supported, leading two days later to a decision by Drew to dissolve the Legislature and call an election.

The Town Planning Act Porter introduced in 1945 was quite a contrast to the one he would introduce a year later. It was not a comprehensive planning act and did not even replace the 1917 Planning and Development Act. Rather, it strengthened the 1917 Act in one area -- the establishment and powers of municipal planning boards. The government still had not decided what type of land use planning legislation it wanted to put on the statute books so the 1945 Act was to serve as a temporary measure.

Drew's proposed planning act was similar to the City of Toronto's proposal in that it would have enabled the establishment of a very strong planning board largely independent from the elected municipal council. Drew's proposal specified

that members of the planning board were to be appointed for six year terms and that they could prepare an official master plan. If the municipal council approved the plan the planning board was to have the authority of implementing it. The local council could only undertake public works which conformed to the plan, unless they obtained permission from the Ontario Municipal Board to do otherwise. All municipal bylaws also had to conform to the plan. Members of this powerful planning board were to be appointed by city council for staggered terms and the majority were to be citizen members, as opposed to elected representatives or municipal staff.

This approach to the implementation of planning probably would have met the needs of many municipalities wanting a strong and semi-independent planning board with the power to prepare an "official" master plan, i.e. plans with legal status. But the planning act Drew proposed did little else. Since it did not completely replace the 1917 Planning and Development Act, the two acts overlapped and would have led to a lot of legal and administrative confusion. The 1945 bill would have permitted municipal councils to give a planning board the authority which the 1917 act gave to "town planning commissions". But then, what was the difference between a planning commission and a planning board? Both had different procedures for their appointment, different terms of office and different authority. The acts overlapped in other areas

as well. One reason the 1917 Act was kept was that it provided authority for subdivision regulations, which Drew's 1945 proposal did not.

In any case, Drew's planning act died on the order papers together with many other bills when the Legislature was dissolved. Since land use planning was not a controversial issue among the general population, it was not an issue during the election campaign. For the city of Toronto, however, the death of its planning bill caused some problems. The Toronto Planning Board had almost ceased functioning in anticipation of new planning legislation. In fact, from April to June there was no planning board. The Board had resigned at the City's request to make room for the new planning board which was anticipated to take its place following the adoption of either the City's or the Government's bill that April. The sudden dissolution of the Legislature caught everyone by surprise. In the interim, the City decided to appoint a temporary advisory planning board to fill the gap until the 1946 session of the legislature.

However, the lack of planning authority was only one of the city's problems. It had also been providing wartime housing without the legal authority to do so, based on a promise by the province to enact the necessary legislation. Thus, on the day after the vote of no confidence, the Toronto Board of Control held an emergency meeting and unanimously

requested the Government to put off the dissolution of the Legislature until the Toronto bills had been enacted. The City was even willing to withdraw the zoning portion of its proposed bill, the most controversial aspect of their requested legislation, in the hope of getting speedy action on the rest of their requests. "We have put forward private bills which concern postwar planning and would enable us to effect a master plan for Toronto," Mayor Saunders said at the time.

Unless we obtain this legislation, our slum clearance projects will be impeded seriously. We must approach Ottawa in the near future regarding Federal assistance for our postwar works. I know that the Dominion Government will not assist us in housing projects unless we can demonstrate that we have a master plan for the city and can chart its progress into the postwar era. [29]

Drew was not opposed to the city's legislation but insisted that he would have to confer with the Cabinet first. The leaders of both the CCF and the Liberal Party also told the Mayor that they were willing to prolong the session of the legislature sufficiently to pass the City's private bills. [30] However, Drew had more pressing political priorities and decided to proceed with the election instead.

Although the 1945 session of the legislature was a brief one, it was quite lively. Planning was an issue throughout the session. The Throne Speech stated that the Department of Planning and Development would introduce a planning act.

The government recognizes the advisability of laying the foundation for municipal planning, especially to enable municipalities to derive the fullest advantage from post-war construction and also to enable municipalities and their citizens to take the utmost advantage of the provisions of the National Housing Act. The Government will present a town and regional planning bill which will enable municipalities to carry out plans effectively, and will also enable a group of municipalities to enter into a joint plan, where they have common planning problems. [31]

It seems very likely that, had the legislature continued the Tory's bill, known as the Town Planning Act, would have been adopted. Although its sections were in conflict with parts of Toronto's planning bill it seems likely that the Government's version would have had little problem being accepted, since all of the parties favoured some form of planning act. It would have been very difficult politically for either the CCF or the Liberal members to vote against the government's bill. The administrative details of the Tories' bill differed from the City's bill, but it was still basically what Toronto sought. [32]

In addition to planning legislation, the Department of Planning and Development was the focus of some discussion and criticism in the 1945 session. The Tories supported and praised the efforts of the Department while the other parties were critical of its lack of any visible progress or activity. Once again, the opposition parties clearly supported the Department in principle, but wanted to see more concrete activity.

There was also some discussion of housing, including one particularly interesting exchange between a Tory member and the leader of the CCF. Commenting on the Throne Speech, H.R. Scott, a Tory MPP from Peterborough, mentioned the benefits which would result from government programs aimed at making home ownership possible for more people. Scott said that "It has always been my contention that as long as you have these tenement, low rental areas just so long will you have Communism, Socialism and every other kind of 'ism', but let a man own his own home and have a stake in the community and see how quickly he drops these ideas so foreign to democracy." [33] A few days later Joliffe replied that: "I was very much tempted to remind him [Scott] that so far we have not had Communism or Socialism in this country, but what we have had for many years is Toryism, and still we have the slums. So, what the hon. member might better have said is, 'As long as we have Toryism, we will probably have the slums.'" [34]

What Joliffe did not anticipate was that Ontario would have a great deal more Toryism as a result of the June 1945 provincial elections. Though the CCF's popular vote did not decrease very much in the election, they lost most of their seats, together with their position as the official opposition. The Tories were able to form a majority government with their 66 seats, the Liberals remained about the same

with 11 seats, while the CCF fell from their 44 seats to a mere 8. Both Hepburn and Joliffe, the leaders of the Liberal and CCF parties, were defeated. Drew's conservatives managed to sweep the 17 ridings in the Toronto area, thus defeating many of the CCF's better candidates. [35]

The choice between left and right was fairly clear; one could vote for a socialist approach to post-war problems or for a reformed version of the status quo. Drew, together with the media and the entire business community, waged a strong propaganda campaign against socialism. This, combined with his progressive sounding promises, was enough to bring out additional voters to swamp the CCF's base of support.

The 1945 election was important to the development of urban planning in Ontario because it determined the direction planning policy was to take in the post-war period. The Tories gained a free hand to shape planning policy. As it turned out, the CCF managed to win only 22% of the vote and only 8% of the seats. They not only had to fight the anti-socialist campaign of the Tories but also the communist Labour Progressive party. All but five of the CCF incumbents faced opposition from the communists. In eight ridings the communist candidate so split the labour vote that the CCF candidate lost to either the Tory or Liberal candidate. Had the CCF maintained these eight seats they would also have been able to maintain their status as the official opposition. [36]

The CCF decline did not reflect any great decline in the absolute numbers of their supporters. Rather, the two established parties turned out many more additional voters than they had in 1943.

The anti-socialist campaign brought out many people who normally did not vote, while the CCF was ineffective at increasing its support in the face of such well organized opposition. Caplan notes that, "because its propaganda campaign brought out such vast numbers of anti-socialists who rarely had voted in the past, the CCF had to increase its vote merely to stand still; it failed to do so, and thereby, relatively speaking, fell far behind." [37]

Following their election, the Conservatives had a free hand to introduce the post-war planning measures they wanted without having to compromise with the left. However, because the gap between what they had promised in the 1943 and 1945 elections and what they were actually delivering was so wide, there was a great deal of criticism aimed at the government's approach to planning during the 1946 session of the Legislature -- criticism that had little, if any, impact on government policy. The debate over the role and functioning of the Department of Planning and Development and the content of the new Planning Act the government introduced were very lively, as we shall see in the next chapter, but the combined opposition was unable to have any influence.

Chapter 8 Footnotes

1. Ontario Newspaper Hansard, Feb. 22, 1944.
2. Ibid.
3. Statutes of Ontario, 1944, Chapt. 16, Sec. 3.
4. Debates and Proceedings of the Ontario Legislature
(hereafter Debates), March 3, 1944, p. 277.
5. Ibid., p.275.
6. Ibid.
7. Ibid., pp. 275-276.
8. The New Commonwealth, April 13, 1944, p. 12.
9. Debates, March 3, 1944, p. 278.
10. Ibid., March 8, 1944, p. 589.
11. Evening Telegram, Feb. 17, 1944.
12. Debates, April 5, 1944, p. 2325.
13. Ibid.
14. Ibid., p. 2326.
15. Ibid., p. 2333.
16. Ibid., pp. 2327-2328.
17. Ibid., pp. 2329-2330.
18. Ibid., p. 2347.
19. The New Commonwealth, Jan 11, 1945, p. 8.
20. Debates, March 10, 1944, p. 793.
21. Toronto City Planning Board, Third Annual Report,
Dec. 30, 1944, p. 7.
22. The New Commonwealth, Sept. 28, 1944, p. 4.

23. Toronto, Bylaw #16253, Dec. 19, 1944.
24. Ibid.
25. Toronto City Planning Board, Minutes, Feb. 1, 1945.
26. Ibid., Jan 24, 1945.
27. Ibid., Feb. 1, 1945.
28. Ontario Legislative Assembly, Journal, March 20, 1945.
29. Ontario Newspaper Hansard, March 24, 1945.
30. Ibid.
31. Debates, 1945, p. 21.
32. Ibid., p. 2062.
33. Ibid., pp. 102-103.
34. Ibid., pp. 404-405.
35. Caplan, loc. cit., p. 191.
36. Ibid., pp. 191-200.
37. Ibid., p. 195.

Chapter 9

The 1946 Planning Act

Following the provincial election of 1945, George Drew found himself in a very comfortable position. He had a majority government and social and economic conditions following the war had become quite stable. No serious social unrest and no major recession or depression were on the horizon. The Conservative government felt free therefore to carry out policies and programs of its own choosing, without the need to compromise with the CCF or to cope with any immediate crisis. This meant that many of the planning and housing promises made during the 1943 and 1945 election campaigns could be, and in fact would be, ignored. The government was free to return to traditional conservative approaches, including a fairly narrow and clearly passive role for planning policy in post-war Ontario. This approach was embodied in the Planning Act adopted in March, 1946, legislation which established the basic framework and approach to land use planning used in the province ever since. The struggle over institutionalizing a government land use planning function, a struggle which began during the 1910's, was, therefore, finally over.

9.1 The Drew Government Defines Its Approach to Planning and Development

When the Ontario Legislature opened in March, 1946, the Throne Speech promised that a planning act would be introduced to "provide for the establishment of Planning Boards, for planning in urban municipalities and for means to control land uses, and to permit expropriation for housing purposes."

[1] But well before the planning act was introduced and debated the Department of Planning and Development came under fire in the Legislature from all the opposition parties.

During the 1945 election campaign a vast program of public works, housing and slum clearance was promised, along with effective planning legislation to allow cities to properly plan and regulate urban development. Dana Porter, who was appointed Minister of Planning and Development in May, 1944, outlined a 15 point government program of post-war construction and development during the 1945 election campaign. [2] The program he outlined was very broad in scope. It included construction of public buildings and institutions, more highways, planning, housing, flood control and conservation, expansion of Hydro, protection and development of forest areas, development of Northern Ontario, introduction of a health program, provision of industrial sites and vocational training, promotion of tourism, expansion of mining and expansion of government research. The fourth point of the program

boldly declared: "By the end of ten years we should be able to say that there is nothing left in Ontario that might fairly be called a slum." He promised to make home ownership more possible and said it was "a responsibility of Government" to provide "low rental housing to meet the needs of workers" who could not afford their own homes. [3]

A major public works program funded by the Province was promised: "Complete plans and specifications are ready for larger scale public construction projects. These represent a larger program of public building than has ever been entertained by the province before." [4] Porter also said that his Department had plans for a "vast and comprehensive" program of highway construction which were "at such an advanced stage that work can commence with the least possible delay." The Conservatives were promising the expenditure of one hundred million dollars annually on essential projects for a ten year period after the war which, they said, would create 100,000 new jobs and would assure full employment in the province without competing with private enterprise. [5] By the 1946 session of the Legislature there still had not been any sign of these plans and the opposition parties began pressuring the government to keep their promises.

A difference also emerged between what the Tories defined as planning and what the opposition thought urban planning ought to be. To Porter, town planning meant the

municipal planning of public works, not major state regulation of private sector urban development activities. The third point of his 15 point post-war program promised the adoption of municipal planning enabling legislation because, he said, "Town planning is the essential foundation for post-war public works."

A large proportion of public construction will be carried out by the municipalities. They already have impressive programmes for post-war works of their own. Money spent on public works will result in the greatest benefit to the people if spent in planned communities. We have been giving encouragement, direction and stimulus to the planning of towns throughout the Province. [6]

He felt municipal planning was essential since municipalities and not the other levels of government were responsible for constructing most public buildings and local infrastructure. In 1944, for example, Porter gave a radio broadcast on the planning activities of his department in which he made this point quite clear:

Remember this, most public building and construction is not done by central governments, most of it is done by local governments, by towns and cities, villages and counties. Most of this sort of construction work is decided by municipal councils, the sort of government that is closest to you. Why should not towns and cities and villages do some planning? The things they decide to do touch each of you very closely. [7]

Porter stated that town planning had three functions: "It makes for a better town. It makes for a spreading out of jobs. It makes for more business, more industry in a town,

because the better a town is planned the more attractive it will be for new enterprise." [8] The focus was definitely on planning for development, on making as efficient use of public expenditures as possible, on the construction of public works to support economic growth, and not on planning as regulation of the location or type of growth.

During the debate on the Speech from the Throne, the Department of Planning and Development was attacked for not doing what had been originally promised, and for not having the authority the opposition thought it should have in order to carry out "planning and development." Liberal MPP Farquhar Oliver, the new Leader of the Opposition, for example, complained that the government wasn't taking the Department seriously and that its powers should be broadened.

If we do not broaden them, the department might just as well close up shop because with respect to anything they are asked to do now, they say 'We have not the power to do it,' or 'it is not our function to proceed along that line.' [9]

Oliver had had high hopes for the department when it was created because of the great need for both planning and development but he thought it ought to be aiding the post-war transition and dealing with the broader problem of rural under-development. Because of the needs of the wartime economy, Ontario had become much more urbanized than it had ever been before, and concern over continued urbanization troubled many of the MPP's.

Oliver feared that nothing would be done about the problem of industrial location, pointing out that "industries are not going out into the smaller towns in the country but that on the contrary, people are leaving the towns and villages in the rural areas and crowding into the larger centres of population." [10] On this issue he stated:

I have argued for a long time that our big cities would only be spoiling themselves and hurting the province as a whole by getting a larger population and that what we need to do in this province and in this country is to rebuild our rural areas and transplant industries in some cases to the rural parts and invite and insist that new industries wanting to set up should get into the country and play their full part in rebuilding the economic fabric of Ontario. [11]

In response to Oliver's criticism both Drew and Porter agreed that industry should be more decentralized, but that, as Porter stated, "it is not the Government's function to try to legislate industry one place or another." [12] He said the proper role of government was to provide "a great deal of information that can be brought in and analyzed and made available for any man or any firm that wishes to set up industry in the Province." [13] He added that one of the first things his Department did was bring in an expert, a Mr. Burns from the US, to recommend what might be done with regard to post-war industrial expansion and how to provide the most conducive conditions for attracting industry. As a result, they decided that there was a lack of information about the

industrial assets the various smaller towns could offer to industrialists. In 1945 and 1946 the Department conducted a detailed survey and began making this information available to American and British industries. [14] Porter argued that the efforts aimed at attracting industry were much more fruitful than simply initiating public works spending to create jobs. He said there were about 125 pending "genuine inquiries" from industries "backed up by some real intention of doing business." [15] Moreover, he felt that this function of attracting new industry would alone be enough to justify the existence of the Department.

In addition, on the topic of planning, Porter said: "With all this industrial development we have the necessity before us for giving due consideration to planning of another kind. . . ." [16] He pointed out that the government first became interested in land use planning in order to prepare for the great post-war industrial expansion he hoped Ontario would undergo.

Now, if you can picture what happens when in a town some new industry comes in -- you can imagine that new houses have to be built, new services have to be provided. [17]

In addition, municipal services have to be provided, the mistakes of past urban development avoided and often rectified, and past experience must be relied on when developing new areas. Porter added that was not the function of his

department to be "handing out a lot of money like a Santa Claus to municipalities for their own local works." [18] Neither is it the function of the department "to plan towns or to tell municipalities how they should go about that business." [19] Rather, he said, "we do think that it is our duty and function to provide some sort of Central Office with consultants" to give advice to municipalities. Porter added:

I may say we have retained the most eminent consultants that could be engaged in this particular work, who could deal with the various municipalities and give them general consulting advice as to what steps they should take to proceed. [20]

What Porter was outlining was quite different from what his election promises had implied. The Department was actually an agency through which the government would attempt to attract industry to the province without placing too many, if any, constraints on the type or location of industry. The Department would not itself engage in the creation of post-war employment nor would it fund municipal public works projects. When one CCF member, G. Anderson of Fort William, asked Porter about the widely publicized promise of spending \$100,000,000 a year for ten years to rid Ontario of slums, to build hospitals, community centres and the like, Porter replied that "There has never been any intention of this Department entering into any grandiose or large-scale expenditure of money." [21] He said that the department was established for planning, not for spending money and even at that, the

planning would be left up to municipalities to carry out if they wished. The Province would not require municipalities to initiate planning.

This passive role for the Department of Planning and Development angered most of the opposition. When pressed for examples of what the department was actually doing about specific problems, they received some pretty simplistic responses. Drew's response to the problem of decentralizing industry was to cite one example of how the British Board of Trade had met with representatives of the Ontario Government "and as a result of that meeting signed an agreement with Mr. Cochrane of Kitchener for the erection of a new furniture factory in one of the smaller communities of Ontario." [22] One CCF member, C.H. Taylor of Temiskaming, described his experience with the Department in his position as Mayor of Cobalt. He said that the Department of Planning and Development was approached about alternative forms of economic development for their community, since the mining industry had collapsed. Porter recommended tourism and sent people from the Handicraft Guild up to Cobalt to suggest that local people begin making handicrafts for tourists. Taylor continued:

It was proposed that we would fix up one of the old shafts to take tourists down in our mines. The men, the old hard rock miners and prospectors were to learn handicrafts. They were to spend the rest of their days whittling out wooden spoons, etc., while the women would learn to weave and knit, etc. Oh, yes, we would have a market for our product. The tourists whom we run up and down the shaft would buy

our product. [23]

He said that no one liked the idea and that the mining operations were soon started again as a result of Federal action, with no assistance from the Department of Planning and Development.

In any case, towards the end of the session and after all the debate over the role and function of the Department, J.B. Salsberg, the Communist MPP, summed up the situation by pointing out that the government never really had any intention of initiating effective planning and development but was simply making election year promises.

The way this situation appears to me is this: that the government . . . in promising all sorts of post-war activities, felt obliged to establish a Department of Planning and Development but its very policies prevent such a Department from planning and developing. It is opposed as far as possible from any public works that can be done by private enterprise. Therefore, they set up a Department which is called the Planning and Development Department. In reality it is an excuse for not planning and not developing. [24]

Another MPP, F.O. Robinson, a CCF member from Port Arthur, offered the following explanation of the opposition's criticism of the Department:

. . . what I think is causing confusion in the minds of the hon. members, is that they are trying to visualize in their minds what could be done by a Department of Planning and Development under a socialist system of government, and expect it to be done under a capitalist system of government, but it cannot be done, because it would step on the toes of 'big business', and that would never do. [25]

It appears that Robinson was right. The problem was one of expectations based on differing views of post-war planning and development. The Tories no longer faced any effective legislative opposition and had a free hand to initiate policies aimed at supporting the market and the free enterprise approach where it needed support and otherwise, in the best tradition of laissez-faire, to leave well enough alone.

Once in power the Conservative government even backed off on its promised housing program. The 1943 platform of the Conservative Party promised the establishment of an Ontario Housing Commission, something which wasn't done until some twenty years later when the Ontario Housing Corporation was established in 1964. Point eight of the 22 point program in 1943 stated:

An Ontario Housing Commission will be created to plan a great housing programme throughout the whole Province for the purpose of creating employment in the period of readjustment and at the same time bring to an end the unsatisfactory housing conditions in many parts of Ontario. [26]

In a December, 1944 radio address, Drew claimed that this promise was fulfilled by the establishment of the Department of Planning and Development. He stated:

We undertook to set up an Ontario Housing Commission to plan housing throughout the Province. We have gone beyond that undertaking by setting up a Department of Planning and Development which includes the work of such a commission and more within its powers. [27]

Before the 1945 election Porter claimed that the slums would be wiped out in the province through the massive housing program his Department was about to undertake. After the election Canadian Business quoted him as saying that he was opposed to any provincial government housing program, that private enterprise could cope with housing problems more competently than any government agency, and that the proper role for the government was to "simply underwrite the required number of houses under the existing program of private builders and guarantee the availability of the necessary labour and materials." [28]

9.2 The Need for New Planning Legislation

Since the Department of Planning and Development was depending upon municipalities to initiate whatever planning was to take place after the war, the Government kept its promise of introducing a new planning act. In sharp contrast to the four previous decades, during which a very active and organized planning movement failed to have acceptable planning legislation adopted, the Drew government quite willingly took the initiative even in the absence of an organized lobbying effort by the planning movement. In fact, Porter and his Department took this responsibility quite seriously. The absence of any effective opposition and lack of controversy over the need for new planning legislation, meant that the

government could not only adopt the approach to planning it deemed desirable, but could draft and refine the proposed legislation through a fairly open consultative process. Porter sought the advice of municipal officials and interested professionals in an attempt to arrive at what they collectively felt would be an effective planning act.

There was also some urgency involved because many municipalities had already undertaken steps towards developing a master plan, outlining post-war public works and land use regulations. None of these planning activities, however, had statutory or official status, due to the lack of enabling legislation. But several cities, particularly Windsor, Stratford, Cornwall, Brampton, Peterborough, Etobicoke, and Toronto, had established planning commissions towards the end of the war and some had even completed master plans by 1946.

Windsor, for example, appointed a planning commission in 1944 which, by the following year, had prepared a comprehensive master plan for presentation to City Council. [29] In 1945 Stratford established a Planning and Development Council and hired E.G. Faludi as their consultant. Faludi presented his master plan to the Stratford City Council in 1946. [30] The City of Brampton's Town Planning Board commissioned John Lang, a Toronto architect and planner, to prepare a master plan. He submitted his final report in March, 1947, titled a Plan for the Development of Brampton. [31] Also, by 1946,

Faludi had prepared a plan for Peterborough. [32] Another of the earlier plans was prepared for Cornwall, by N.D. Wilson, a prominent Toronto transportation planner. He was commissioned in 1943 and completed his 25-page plan in April, 1944. [33] The most widely publicized plans, aside from Toronto's 1943 master plan, was Etobicoke's master plan prepared by Faludi in 1947. This was the first plan to be prepared in accordance with the provisions of the Ontario Planning Act as amended in 1947.

All of these plans were very brief and quite different from today's official plans. Most of the plans were only twenty or thirty pages long and attempted only to describe what infrastructure would be needed for a population projected 20 or 30 years into the future. They were most often prepared at the request of local businessmen who were interested in promoting growth for their community. A plan, it was felt, had its intrinsic value as a plan, but also provided very useful publicity for the city as a "progressive community" willing to and capable of accommodating new industries. The fact that a city had a plan also helped it in financing long term debt. Many municipalities had overextended their provision of infrastructure during the boom of the late 1920's and were forced to default during the 1930's. Etobicoke's plan, for example, shows some of the benefits that even a very primitive master plan could provide.

When Etobicoke obtained a good rate on its 1948 debenture issue for public works such as schools and utilities, the Deputy Reeve stated that "This was because we had a definite planned community" and that the planning aspect had given financial investors confidence in Etobicoke's future. One city councillor, who had been a bank manager, also stated that:

The Planning Board is one of the finest things this Township could have produced. . . . It just wouldn't do for each little group to formulate a separate plan of development. One of the reasons why we went into default in the 1930's was because when the depression hit we had hydrants and water connections sticking out of fields where there wasn't a house in sight. [34]

By the mid-1940's, then, planning as a practical means of coordinating municipal expenditures on physical infrastructure had become a well recognized and fairly widespread notion among municipal officials. Most officials were also prominent businessmen who were interested in promoting the growth and development of their communities. The boosterism common to the earlier part of the century was still quite lively in many communities. Municipalities saw land use planning as a means of providing public services more efficiently in order to better compete with other municipalities in attracting new industries.

By 1946 there were clear indications that prosperity, and not recession or depression, was on the horizon if condi-

tions conducive to growth and development were created and maintained. A proper business climate had to be created. Municipal government could play a role by planning for the provision of adequate public infrastructure to support economic growth and by providing some degree of coordination of urban and suburban physical land use patterns. These pragmatic concerns helped create a widespread consensus on behalf of an equally pragmatic approach to land use planning.

Unlike the CCF proposals for broad social, economic and physical planning, there was an emerging consensus among provincial and municipal officials after the war that planning meant physical planning -- the efficient and economical provision and location of municipal services such as arterial roads, sewers, water, schools, parks, and the separation of land uses by effective zoning. The Municipal Review of Canada, for example, published the following definition of planning in 1944, stating that planning was a very "complicated subject" which included:

1. Planning of traffic arteries for the city and its suburban areas.
2. Planning of transportation for the city and its suburban areas.
3. Planning of primary and secondary sewers.
4. Planning of Sewage disposal for the city and its suburban areas.
5. Planning of locale of school and other public buildings, and their relation to those of suburban areas.

6. Planning of size, location and type of parks, and their relation to those of suburban areas.
7. Zoning of districts for residential, business and industrial use.
8. Planning of location of new permanent housing for low-income groups, both in the city and in its suburban districts.
9. Planning of budgets of current expenditures in relation to probable current needs over a term of years, and in relation to the long-term capital budget. [35]

Along these same lines, an editorial on master plans in the Municipal Review stated that: "It is now recognized throughout the civilized world that town-planning is the most practical means to achieve economic advancement in the community -- and no city or town can afford to ignore what is known as a master or general plan -- that is, a plan covering the whole area studied to meet its economic future." [36]

At their 1945 annual meeting, the Ontario Municipal Association expressed its recognition of the importance of municipal land use planning in the post-war economic development of their communities by passing the following resolution:

That the Ontario Municipal Association request the Prime Minister of Canada and the Premier of Ontario to announce immediately the post-war plans of their respective governments and to advise the municipalities what help will be extended to them for the provision of employment. . . . [37]

Given these concerns, the Drew Government was faced with the problem of developing a planning act which would meet

the basic needs for co-ordinating infrastructure and land uses within municipalities while at the same time maintaining some centralized control over how municipalities used the new authority they were to be given. The Government seemed to be afraid of the ways in which municipalities could abuse planning authority. On the one hand, if the over-zealous booster element dominated a municipal council, they could waste municipal resources by overservicing land based on unrealistic expectations of growth. On the other hand, there was still the fear that a progressive or socialist group could dominate a city council and thus use the planning authority to interfere with or replace private sector development activities.

The planning legislation the government finally adopted confined itself to enabling municipalities to carry out only those activities for which there was an immediate and practical need. In addition, provincial supervision was maintained over all important matters. The 1946 Planning Act provided authority for municipalities to adopt an official plan, to appoint a planning board, to acquire land necessary to implement the official plan, and to regulate certain features of subdivisions. In addition, the Municipal Act was amended granting municipalities zoning authority. All official plans, plans of subdivision and zoning bylaws had to be approved by the Minister of Planning and Development, however,

before they could be implemented.

The general social, economic and political conditions following the war and the 1945 provincial election created such widespread consensus on the narrow definition of planning, that the government felt secure about consulting all interested parties during the drafting of the planning legislation. The Planning Act adopted in 1946 was first drafted in late 1945 by staff of the Community Planning Branch of the Department of Planning and Development. [38] In December, Dana Porter, the Minister of Planning and Development, appointed a "Committee of Representatives of Professional Associations" (hereafter CRPA) to offer advice on the planning and zoning legislation. This committee, in fact, completely rewrote the government's first draft of the planning Act. [39] In January, 1946, Porter also met with a number of municipal officials to discuss their recommendations regarding planning and zoning enabling legislation. Toronto, Ottawa, Hamilton, London and Windsor were represented at this meeting. [40] Finally, on March 13, Porter introduced the Planning Act in the Legislature where it was further amended before being adopted only fourteen days later, with very little controversy. In introducing the "Act respecting Planning and Development", Porter proudly boasted that:

this bill has been prepared as the result of a very great deal of consultation, and a great many conferences with the mayors and other officials of municipalities, and with persons who have been closely

associated with this sort of procedure, and are alive to the sort of needs we are trying to meet. [41]

This process of refining the proposed planning legislation in cooperation with interested parties was in sharp contrast to the preparation and adoption of the 1917 Planning and Development Act. No matter how hard Thomas Adams and the planning movement lobbied the provincial government in 1916, the government was simply unresponsive. In 1917, when it finally gave in to this pressure, the government simply drafted a planning act without consulting any of the interested parties and ignoring the model planning act Thomas Adams and the Commission of Conservation had promoted. The advice of Thomas Adams, or of any other prominent planner of the day, was never sought. News of the introduction of the Planning and Development Act into the Legislature took Adams and the rest of the planning movement by surprise yet proved to be, as Adams predicted, a fairly useless piece of legislation. [42]

A review of the policy making process leading to adoption of the 1946 planning and zoning legislation provides a rather interesting contrast. In 1917 there was little consensus on the need for planning and conditions were such that government saw little pragmatic need for such legislation. The professional wing of the planning movement was lobbying for the legislation almost by itself. The business

community and the government were preoccupied by the war effort and by other pressing social and economic problems. In contrast, the exact opposite conditions prevailed in 1946. It was the business community, the government, and a handful of practicing planners who together agreed that a municipal land use planning function was necessary. The only question which remained was one of technique -- what set of statutory powers would do the job best. Though not everyone was completely happy with the legislation finally adopted, it was acceptable to municipal officials because it provided legislation which enabled them to adopt and implement master plans and zoning bylaws, to appoint planning boards and to better regulate new subdivisions.

The 1946 legislation provided authority for a municipal land use planning function which would address itself to the creation and maintenance of conditions capable of attracting and supporting development without at the same time imposing too many restrictions on the private land development process. Practical planning measures limited to immediate needs was the aim, not a comprehensive and centralized public planning and development process. Without some subdivision regulations, there was no guarantee that an efficient network and hierarchy of roads would result nor that certain minimum standards of site planning and house construction would be met. Without zoning there was no guarantee that incompatible

uses would not be mixed causing detrimental impact on land values and inefficient use of municipal services. Without general master plans, provincial and municipal public works departments could not decide where to best locate their new services to attract and encourage industrial, commercial and residential development.

Any broader approaches to the role of planning were not considered by municipal officials. Many of them were members of the Conservative Party and shared the basic philosophical approach of the government. In fact, Mayor Saunders of Toronto was seriously considered as a successor to Premier Drew as leader of the Conservative Party in 1948. [43] There is no record of municipal officials in the province being critical either of the Department of Planning and Development or of the general approach to planning taken in the Planning Act. This was in sharp contrast to the criticisms raised in the 1944 and 1945 sessions of the legislature by the opposition parties, and especially by the CCF.

9.3 Drafting the 1946 Planning and Zoning Legislation

The complete lack of controversy during the drafting of the planning act can be seen in the discussions which took place during Porter's meeting with municipal officials in January, during the five meetings of the CRPA and in the legislature. These were the three major forums in which

interested parties outside the government had an opportunity to comment on and recommend changes to the municipal land use planning process being proposed by the Drew government.

At the January 11 meeting of municipal officials in the office of the Department of Planning and Development, none of the 18 officials raised questions about the overall approach to planning the government was taking. Rather, much of the discussion centred on the need for zoning enabling legislation and, in particular, legislation allowing municipalities to do such things as: set minimum lot and house sizes; eliminate non-conforming uses when changes in zoning bylaws were made; provide some means for adjacent municipalities to cooperate in setting land-use designations among themselves; and other such specific matters. [44]

This consensus over the general content and aims of municipal planning existed because municipal officials, who were almost always members of the local business elite in their communities, were as interested in seeing their own community prosper and develop as the Drew Government was in seeing the province as a whole prosper and develop. The Province, therefore, did not want to do anything which would discourage private enterprise from locating and expanding in the province. Nor, however, did it want to provide municipalities with blanket planning powers to use as they wished. Such general planning authority could be "misused" by an

overzealous or overly progressive municipal council.

Municipal councils, dominated by local businessmen, shared a similar interest in provincial prosperity, except that they wanted to attract some of this development to their own communities. This was the source of municipal interest in zoning and planning. Proper planning and zoning would help a municipality to be more businesslike, that is, more efficient. It would allow them to provide more adequate municipal public works to support economic development and it would help them to better predict the immediate and long range needs of potential investors.

This approach to planning could only be effective if these same business interests maintained control over the planning process. Therefore, we find something which at first seems quite a paradox. Municipal officials themselves were advocating the removal of the planning function from the city council and the maintenance by the Province of complete regulatory authority over municipal planning and zoning. This would remove planning from the realm of local democratic politics, centralize it within a local planning board somewhat independent of the municipal council, and subject all local planning decisions to provincial review. This approach to planning as a technical matter best handled by independent experts was, of course, quite acceptable to planning professionals. These professionals, while perhaps not having the

same stake in local boosterism as businessmen, were firm believers in planning as a rational way of improving urban development and wanted a free hand in implementing their plans.

At the January meeting of the Metropolitan Committee, for example, Mayor Saunders made this point quite clear. He stated:

We must remove the whole business of zoning, the whole business of planning from the control of those actively engaged in politics, municipal or otherwise. It is a dangerous thing to change an official plan once it has been adopted. . . . We have authority possibly to pass a Zoning bylaw but it does not mean very much if we have the same power that we have now, to change a Zoning bylaw one week from today. . . .
[45]

A member of the York County Planning Committee added that there was a need for "some body removed from politics, such as the Hydro" to assist municipal planning activities. [46] The difficult problem of how to make planning effective and how to decide on the objectives, methods and content of planning was to be solved quite simply by assuming that the interests of the local business elite were, indeed, the general "public interest" and by removing planning as much as possible from direct democratic control.

The City of Toronto had been promoting this approach ever since the Board of Trade convinced City Council to establish a Planning Board. As outlined earlier, the City's proposed planning act called for a Planning Board appointed for a

five year period with major control over the city's public works priorities. It was also realized that municipal boundaries were quite artificial and officials from many large cities wanted some form of control over the surrounding jurisdictions. The City Solicitor for Windsor, for example, at the same meeting, advocated the following:

We suggest that there should be given to every city of more than 100,000 population which has adopted a general zoning by-law, with or without a master or official plan. . . power to invoke the assistance of some independent and impartial body in obtaining for the adjoining unzoned and unplanned areas, a general type of zoning or planning control. [47]

This, of course, was simply common sense, that land use controls should not stop at a municipal boundary, leaving the adjacent land completely free from regulation. But this need was coupled with a proposed solution dependent upon centralized control over suburban jurisdictions for the benefit of the interests in the central city. The Windsor City Solicitor continued his argument, stating:

The city having first adopted a general zoning scheme, then there should be no reason why the township should not co-operate. The city is the centre of the life of the district and the very portions of which it is seeking to exercise control, will some day be part of the city. [48]

Assumed therein was that growth would be allowed to continue as it had in the past, leading to ever greater concentration in the larger metropolitan centres. This was an unquestioned assumption, since most cities were interested in promoting

their own economic development.

What is interesting about this interest in growth, shared by municipal councils and the local business elites, is that they were no longer willing to proceed without at least some coordination of new development. The aim was to make much more efficient use of available land rather than allowing anarchy to prevail in their local land markets. For example, one municipal official from Hamilton pointed out that metropolitan planning was necessary in order to coordinate the provision of public works over the entire region around a city and to prevent unwise use of available land.

The big mistake of older municipalities is that they want industries and for the sake of having them they are prepared to sacrifice land which would be useful for other development like residential or recreational areas. . . . Many such areas both in Windsor and Hamilton are likely, unless controls are instituted, to be sacrificed very soon for undesirable developments to the great detriment of present and future population. [49]

Dana Porter closed the meeting by pointing out that there were two questions which, he said, "in many respects almost outweigh the importance of everything else." These two questions related to the redevelopment of older sections of cities and the control of subdivisions. To Porter, these were the two most immediate and concrete needs his planning legislation was to address. Run down areas of existing cities had to be improved and development of new land had to be regulated.

On the matter of redevelopment Porter was prepared to give municipalities some authority to expropriate obsolete areas and allow certain types of redevelopment as long as municipalities did not compete with or attempt to replace private sector activities. According to him:

the distribution of buildings on the land is most wasteful, and there is a redevelopment problem in some of the bigger cities. Provision for enabling expropriation must be given. [50]

He added that the Government had already "definitely decided" to give municipalities the power "to expropriate for certain types of building purposes." [51] Redevelopment plans would be left up to municipalities to undertake on their own initiative with, of course, the supervision of the province. The province itself would not initiate a redevelopment program, nor would it allocate any funds for redevelopment. The Department of Planning and Development would not engage directly in this type of "planning and development".

Porter noted that the control of subdivisions was "one of the most difficult problems to get a satisfactory solution" to and that his Department had "been constantly studying this for the last few months and we have discussed it with a great variety of opinion as we could get in touch with." He said that several different ways of dealing with the issue were under consideration at that time and that the new legislation would include some form of subdivision con-

trol. The three-hour meeting ended and apparently fulfilled Porter's desire to obtain the advice of municipal officials from around the province.

A week after this meeting with municipal officials, the first meeting of the Committee of Representatives of Professional Associations was held. The Committee held five formal meetings between January 23 and February 22, 1946. Between meetings, individual members worked on drafts of legislation for consideration by the full meeting of the Committee.

The initial draft of the planning act had been prepared in late 1945 by staff of the Department of Planning and Development. The first draft was most likely written by A.E.K. Bunnell, Director of the Community Planning Branch of the Department. [52] On December 5, 1945, Porter invited a number of professionals to form the CRPA to discuss the content of the draft legislation. At this December meeting the composition of the CRPA had been established. It was composed of two representatives from each of: the Ontario Land Surveyors' Association (T.D. LeMay and R.M. Anderson); the Professional Engineers of Ontario (D.B. Strudley and H.D. Rothwell); the Ontario Association of Architects (A.P. Deacon and J. Layng); and the Canadian Society of Landscape Architects (E. Kay and G. Culham). The Committee also included E.G. Faludi, who was represented by A. Adamson when he could

not attend. [53]

At their first meeting on January 17, 1946 members of the Committee began by reviewing a new draft of the Department's original draft Bill. The new draft was prepared by Committee members John Layng, Alan Deacon and Anthony Adamson. The Committee went over this draft clause by clause, completing their revisions by the end of their second meeting (January 23). Tracy LeMay, as Chairman of the Committee, forwarded the revised draft to the Department of Planning and Development for comments. The changes made by the Department concerned wording and other relatively minor details. The draft the CRPA submitted to the Department would prove, in fact, to form the basis for the Planning Act eventually adopted by the Legislature. The Committee's version was revised by lawyers to conform to the standard language of statutes. Only the details were changed. [54]

The draft prepared by the Committee covered the establishment and composition of planning boards, the nature of official plans and the role of the Department and the Ontario Municipal Board in supervising municipal planning. One thing the Committee added to the Department's original proposal was the establishment of "planning areas", whereby the Minister could designate an area composed of one or more municipalities for purposes of joint planning between adjacent municipalities. The Minister could also designate which muni-

cipality would carry out the preparation of the official plan. All plans had to be approved by the Minister of Planning and Development before they could become "official plans". Preparation of an official plan was left optional, though some members of the Committee thought it should be made mandatory. Tracy LeMay urged that it be mandatory, saying

every municipality, unless exempted, would be required to prepare a plan in accordance with the specifications laid down in the Act. This would stimulate the Planning idea throughout the Province. Once started the ball would be kept rolling and many more plans submitted to the Ontario Municipal Board for approval as official plans, than would be the case if planning were entirely permissive. [55]

Other members of the Committee did not agree, on pragmatic grounds. They feared that making planning mandatory "might result in much perfunctory and therefore bad planning and that bad planning was worse than no planning at all." [56] This argument led the Committee to recommend that it be left optional.

Leaving planning optional would make the planning function passive rather than active. Municipalities could adopt and implement official plans if they wanted and only to the extent to which they wanted. The provincial government was not willing to make planning mandatory. This points to a difference in what the committee of planning professionals defined as planning and what the government and many business-dominated municipal councils saw as planning. The profes-

sionals saw the official plan playing a central role in guiding all municipal development. This implied a fairly active public role in urban development. Private sector land use decisions would be more heavily regulated than in the government's passive view of planning. Municipal planning, in the government's view, would play a major role only in public decisions on investment and location of municipal public works. Restrictions on urban development in general would be kept to a minimum.

This difference with the government became obvious when the CRPA proposed that the preparation of official plans, that is, long range planning, be separated from the implementation process. They proposed that the planning act provide authority for the preparation of plans, and establishment of planning boards, while subdivision and zoning provisions be located elsewhere, either in new acts or in the Municipal Act. Subdivision regulations and zoning bylaws are methods of implementing planning, whereas the official plan lays out municipal planning policy.

In his letter presenting the CRPA draft planning act to the Minister of Planning and Development, LeMay pointed out that the Committee's "Bill is generally similar to the Bill prepared by your Department but nevertheless contains some important changes . . ." The separation of the preparation of plans from their implementation was one of the more

important.

At the outset it appeared to the Committee that for the purpose of legislation planning must be considered under two separate and distinct headings; Firstly, the making of the plan and secondly, its implementation, and that Governmental supervision should, for the sake of efficiency, be similarly divided. For this reason the Bill as now drafted is designed to centralize the Provincial authority over the former in the Department of Planning and Development, leaving supervision of the latter in the hands of the Ontario Municipal Board where it now rests. The Committee feels that only in this way can effective guidance be given planning. [57]

Having forwarded to the Minister their draft of a planning act including provisions for the preparation of official plans, the Committee then separately considered the question of zoning enabling legislation and the problem of regulating subdivisions. However, the government did not follow their recommendation. The Planning Act submitted to the Legislature made no such distinction and included no special authority for implementing an official plan. Subdivision regulation was treated as a separate activity but was authorized within the Planning Act. The new zoning legislation, however, was added to the Municipal Act, where zoning authority had been located since it was first adopted in the 1920's.

The fact that the CRPA chose to clearly separate the preparation of a master plan from its implementation while the government did not shows a different level of understanding or interpretation of why planning should be institutionalized in the first place. In the view of the CRPA a carefully prepared

master plan would act as a public guide to all physical development. To make this successful, municipalities had to be given enough power to implement and enforce the master plan. The government's approach, on the other hand, subordinated planning to market dynamics. Thus planning could only be imposed to support economic development and to cope with the worst abuses of the private land development process. This meant that provincial planning legislation would be composed of three separate elements: first, authority for municipalities to prepare official plans which would function as guides to public works, planning and budgeting; second, zoning authority, to rationally prevent abuses which could result from unregulated land development; and third, subdivision regulations to help ensure that minimum standards are met. All of this would be overseen by a municipal planning board subject to provincial review.

These three elements of the planning legislation adopted in 1946, master plans, zoning and subdivision regulations, were each addressed to a specific land use problem. Each element focused on an immediate, specific problem, rather than forming part of a more coordinated planning system in which zoning and subdivision controls, together with other measures, would be used to implement a general master plan. This approach was in keeping with the overall policy taken by the government, to return to "normal" market conditions as

smoothly as possible and hence, exclude any bold initiatives in land use planning.

The committee of professionals, in addition to the recommendations discussed above, also gave serious consideration to such things as interim zoning bylaws which could freeze development while a permanent zoning bylaw was being prepared, architectural design controls, the provision of parks and playgrounds, the dedication of at least 5% of new subdivisions for park purposes and new "means for preventing premature subdivision of land". [58] This would allow a municipal authority to prevent subdivision of land rather than simply regulating subdivisions as proposed by private developers. The Committee discussed a combination of measures aimed at preventing premature subdivision and at ensuring better quality suburban development. These included:

- a) Zoning.
- b) Adjustment of Taxation.
- c) Immediate action on the part of the Province in land-use planning of areas containing large metropolitan centres.
- d) Requiring owners who subdivide to pay the cost of installation of municipal services such as: water, grading and paving streets, sidewalks and sewers. [59]

However, none of these recommendations were accepted by the government. Such measures extend the planning function of municipal government further than the Drew government was

willing to go. The basic philosophy underlying the government's approach was summarized by Dana Porter in a speech to the Ontario Municipal Association shortly after the Planning Act was adopted:

The objective of this planning is to make possible by wise arrangement and control the most profitable use of urban land; thus the capital that is invested in the buildings on it may be maintained in value, and those who live upon it may thrive more abundantly. This sort of planning is an economy; it is no more nor less than forethought, a view of more than just a piecemeal development. [60]

Planning was supposed to help maximize the profitable use of land and to help prevent any single development from having negative economic impacts on neighbouring developments. This sort of activity did not require comprehensive planning, but legislation focused on specific and immediate problems. As Porter pointed out, a laissez faire approach was to be preferred even if planning would result in improved conditions:

Democratic people on the whole prefer to carry out their own ideas, even if these ideas are not perfect, rather than to execute the decree of someone else even if it may seem to be a little better. [61]

Porter, who was himself a graduate of Oxford and a member of the Toronto Board of Trade, was quite conscious of what he was doing. The planning legislation adopted by the Conservative Government in 1946 was aimed at exactly what the government wanted it to be aimed at, and nothing else. Planning professionals and some municipal officials, while not favouring a

socialist approach to planning, did, however, hope for and work towards a more comprehensive, longer term approach to municipal land use planning. They did not, however, oppose the 1946 planning legislation because it was much better than no legislation and was a step towards what they had advocated.

9.4 Discussion in the Legislature

Both the Planning Act and the amendments to the zoning provisions of the Municipal Act went through the Legislature with relatively little controversy. The Planning Act was introduced on March 13 and received first reading with no discussion. On March 20, the day before the second reading was scheduled, Porter was asked to explain the purpose of the Bill. He stated that it covered three major areas of planning and planning procedure: preparation of master plans by municipal planning boards; review of these plans by the Department of Planning and Development making them "Official Plans" once approved; and procedures for laying out suburbs. [62] He said that the subdivision provisions were one of the more important elements of the proposed planning act:

It is all very well to attempt to assist in planning one way and another in a broad way, but when we get down to the fundamentals of it, we find that the root of the whole business comes right down to the proper laying out and the proper control of new subdivision development. [63]

Porter pointed out to the Legislature that the proposed act

would replace the 1917 Planning and Development Act and would carry somewhat further the subdivision provisions in the older act. These subdivision regulations were the same regulations which the Committee of professionals recommended not be included in the Planning Act because they decreased the significance of the municipal master plan. But irrational and wasteful subdivisions were the immediate problem of the day and Porter's attention focussed almost solely on this one aspect of planning. At the same time he did not want too cumbersome a set of subdivision regulations which would slow down the pace of development. He pointed out that:

Due to experience in the last few months, and long years of experience under the old procedure and existing statutes, we have worked out what we think is a much more effective procedure for the handling of new subdivision development, and the approval of it in a way that will be much more effective when under the present system, and in a way which we think will be much quicker, and more expeditious than the system which has grown up, up to the present time.
[64]

One aspect of the Bill which did receive some questioning, though no objections, was the concept of joint planning areas and the problem of adjacent municipal jurisdictions. Porter admitted that the proposal might have problems and that he would be more than willing to amend the act if this proved to be the case. Porter said "perhaps after we have had a year's experience under the legislation we will be in a much better position to amend the procedure if we find it

does not quite cover the situation." [65] The Planning and Development Act would allow municipalities to plan for any area within a five mile radius of their boundaries, although this allowed them to plan without consulting the area being planned for.

The only other aspect of the proposed planning act discussed in the legislature was its housing provisions. These had nothing to do with land use planning but municipalities were pressuring the government for the authority to undertake post-war housing projects, especially low-rental accommodation. [66] The Drew government was not very interested in this, since it involved direct government activity in the housing sector. The Planning Act, in Section 16, gave municipalities authority to initiate certain types of housing projects, with the province retaining a veto power over any municipal proposal. According to the Planning Act:

For the purpose of a housing project a municipality, with the approval of the Minister, may, -- (a) acquire land within the municipality; (b) hold land heretofore or hereafter acquired within the municipality; or (c) sell, lease or otherwise dispose of land so acquired or held for a nominal or other consideration to any person or governmental authority having power to undertake housing projects. [67]

This authority was limited in a number of ways. It allowed a municipality to provide land for private development of housing but restricted municipal provision and management of housing to temporary housing projects aimed at the immediate

post-war housing shortage. Section 20 of the Act stated that:

To relieve the existing emergency in housing conditions a municipality, with the approval of the Minister, may erect, maintain, manage and wind up projects for temporary housing accommodation either within or outside the municipality. [68]

The second limitation required a municipality to obtain provincial approval for anything it did in the way of housing.

The only questioning Porter was subject to on the housing provisions of the planning act came from F.R. Oliver, leader of the opposition Liberal Party. Oliver's complaints did not relate to the limited scope of the provisions but to a fear that they were much too broad and would interfere with the private market. Oliver said that he was afraid that the language of the housing section would give "the 'green light' to municipalities to go ahead with housing projects, and I think we should be rather 'leery' in that respect, and not too hasty." [69] Porter assured him that this was the reason why provincial approval was required. He said that

it has also been considered advisable that any undertaking of that kind [housing] should be with the approval of this Department, because from the point of view of planning, and the point of view of carrying out that sort of undertaking, some sort of control should be in effect. [70]

Porter also pointed out that the housing provisions were designed to be very restricted "because it really is not our intention, it is not the intention of this government to encourage municipalities to undertake housing projects as

such, except under very acute conditions." [71] This position was the exact opposite of one he had outlined several months previous during the 1945 election campaign. He had promised a comprehensive 15-point government program of post-war construction, point four of which stated that it was "a responsibility of Government" to provide "low rental housing to meet the needs of workers" who could not afford to buy their own homes.

Housing was still a public issue and this explains why these minimum municipal housing provisions were included in the Planning Act, even though they neither related to the land use planning aspect of the act nor give municipalities any real authority. They did allow the Provincial government to say that they had done something and had not ignored the problem. The government, of course, was hoping that the house construction industry would recover after the war so that owner-occupied houses could be built by the private sector. This was the reason for the government's emphasis on subdivision regulations -- to make sure that enough land would be properly serviced by municipal authorities so that private housing construction could take place efficiently.

That housing was a major issue and that there were alternatives available to the government's approach is made clear by the fact that the CCF once again introduced a housing bill. It was titled "An Act to enable Municipalities to

establish Housing Authorities", which, if adopted, would have become The Community Housing Authority Act, 1946. The Bill, introduced by Garfield Anderson, a CCF MPP and Mayor of Fort William, gave municipalities power to establish a Housing Authority if they wished and allowed them to carry out the type of housing program they thought best for their locality. The CCF proposed Bill allowed a municipal council, upon recommendation of the housing authority, to, among other things:

purchase, lease, acquire or expropriate real property in the area under its authority for housing projects, green belts, parks or recreational areas or for slum clearance, and may alter, repair and construct housing accommodation, and manage, lease and sell the same on such terms and to such persons as the authority shall decide. . . . [72]

The basic philosophy of the Bill would allow the locally elected municipal council to decide for themselves what sort of housing program to implement. Anderson told the Legislature that:

The purpose of the bill is to make provision for municipalities to set up housing authorities on rather broader terms than is permitted under other legislation. . . . They are instructed to establish for any municipal housing project amenity standards which shall cover such matters as health, sanitation, safety codes, green space, etc., as well as building construction codes. The Bill also provides that housing projects which are approved by the Municipal Board do not require the assent of electors entitled to vote on money bylaws. [73]

There was no discussion of the Bill and when the motion for a second reading came up a few days later, the Bill was defeated in a roll call vote, 48 opposed and 18 in favour. [74]

As with land use planning, the approach of the Tories and Liberals to municipal public sector housing initiatives had undergone dramatic changes between the wartime promises of the early 1940's and the peacetime conditions of 1946. The fears of social and economic turmoil after the war had not materialized and the aim, therefore, became a return to business as usual. It was only four years previous, in 1942, that the national Conservative Party platform called for "a national long-range low-cost housing plan, including home improvement, underwritten by the government, designed to make homes available on a lease-purchase basis to all families. . . who are in the lower income brackets." [75]

The 1946 Planning Act, with its basic provisions for the establishment of planning boards, preparation of official plans, regulation of new subdivisions and provisions for limited municipal housing activities, received third reading on March 26 without any discussion. On the following day it received Royal Assent and came into effect. No one opposed the Act in the Legislature, nor was there any praise from the CCF opposition. The most favourable comment coming from an opposition member was limited to a statement that the Act "is a step in the right direction." [76]

During the same session of the legislature municipalities were given authority to adopt comprehensive zoning bylaws. Section 406 of the Municipal Act was amended and for

the first time since the early 1920's, when similar zoning authority was briefly granted municipalities between 1921 and 1926, Ontario's municipalities were given full power to adopt zoning bylaws, pending approval of the Ontario Municipal Board. The key amendment to the Municipal Act stated that municipal councils could adopt bylaws

For regulating the cost or type of construction and the height, bulk, location, spacing, external design, character and use of buildings or structures to be erected within any defined highway or part of a highway, and the minimum frontage and depth of the parcel of land and the proportion of the area thereof which any building or structure may occupy. [77]

This provided all the authority a municipality would need to adopt a comprehensive zoning bylaw. The first zoning legislation adopted back in 1921 was stripped of most of its authority in 1926 when the word "location" was removed from the legislation, making it legally impossible to restrict certain uses in specific locations. Conditions had changed enough by the 1940's that zoning was no longer feared but, in fact, strongly supported by real estate and mortgage lending interests in the larger cities.

By April 5, 1946, therefore, when the Legislative Session ended, Ontario's post war approach to planning had been established. Because this basic approach, adopted in 1946, remains largely intact today, the four year period leading up to the planning legislation has proved to be much more important to the future of land use policies in the

Province than the individuals involved probably thought they would be. The changes which have been made since have come about very gradually and have affected details rather than the overall framework or approach to planning. The political and economic conditions of the early 1940's, which helped give rise to the debate over planning, have never been repeated. Rather, general social stability and economic prosperity in the years since the War have left many broader questions about alternative approaches and substantial change in the planning system largely ignored.

What becomes clear from this detailed look at the evolution of the 1946 planning and zoning legislation is the extent to which it is simply a reaction to the immediate pressing problems or needs of the times, and not part of a more systematic program aimed at achieving certain desirable urban futures through the use of public policy. The subdivision controls were aimed at the problem of inefficient speculative suburban developments. The zoning controls were aimed at the specific problem of protecting property values in residential areas and separating various categories of land uses to make better use of public infrastructure. The preparation of master plans was aimed at the problem of helping municipalities better plan for the provision of public infrastructure to help promote economic development and general urban growth.

This legislation did not come about as a result of any single person or group applying pressure on the government, but rather as a result of the particular conditions of the day which necessitated an expanded public role in many sectors of the economy. The post-1945 era witnessed the demise of simplistic laissez-faire approaches and the adoption of Keynesian-type policies requiring the gradual introduction of economic, social and physical planning, and thus the expansion of government involvement and government spending in many aspects of social and economic life. The basic aim was economic growth. Physical planning was required to help ensure that municipalities could provide the necessary services to support this growth. As D.R. Richmond points out in his study of the post-war economic transformation of Ontario,

Provincial economic policy in the late 1940's was geared to industrial expansion. This was reflected directly in the programs of the newly created Department of Planning and Development, designed to coordinate government activities and to promote industrial growth. This new department was particularly concerned with assisting existing industries to expand their operations and the attracting of new industries to this province. [78]

The Tories, having survived the threat of the CCF, quite consciously set out to use public policy to help restore the private market mechanism rather than continue the central planning and coordination of the economy which was imposed during the War. But this could not be done without expanding the role of government. The difference, however, was that the

aim of Tory policy was to support the private market, not to change it or replace it.

The government chose the approach to planning that it did, rather than the more coordinated approach recommended by the Committee of Professionals or the more socialized approach advocated by the CCF, because of its basic philosophy. The principles of non-competition and minimum interference with the private sector led almost "naturally" to this outcome.

Chapter 9 Footnotes

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2. "Notes of Address of Hon. Dana Porter at Nomination Meeting for St. George's Riding", April 18, 1945, PAO, R.G. 3, Box 452, Porter file.
3. Ibid., p. 4.
4. Ibid., p. 3.
5. MW, May, 1945, p. 138.
6. "Notes of Address...", loc. cit., p. 3.
7. D. Porter, Five Broadcasts on Reconstruction, Toronto: King's Printer, 1944, p. 11.
8. Ibid., p. 13.
9. Debates, 1946, p. 137.
10. Ibid., pp. 137-138.
11. Ibid., p. 138.
12. Ibid., March 13, 1946, p. 482.
13. Ibid.
14. Ibid., p. 483.
15. Ibid., p. 487.
16. Ibid., p. 488.
17. Ibid., p. 490.
18. Ibid., p. 489.
19. Ibid., p. 491.
20. Ibid.
21. Ibid., p. 510.

22. Ibid., pp. 157-158.
23. Ibid., p. 1322.
24. Ibid., March 28, 1946, p. 1520.
25. Ibid., March 14, 1946, p. 629.
26. The Construction Platform of the Progressive Conservative Party in the Province of Ontario, July 3, 1943; in PAO, R.G. 3, Box 454.
27. Debates, Feb. 27, 1945, p. 402.
28. Canadian Business, Nov., 1945, p. 41.
29. IPTP Review, 2(2), Feb.-Mar., 1949, p. 2.
30. MW, Aug., 1946.
31. Copy in Toronto Archives, 2.1.8-05, Folio #25, File #9.
32. MW, Jan., 1947.
33. N.D. Wilson, Elements of a City Plan for Cornwall, Ontario, April, 1944.
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35. MRC, June, 1944, p. 15.
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37. MW, Sept., 1945, p. 229.
38. Committee of Representatives of Professional Associations, Minutes, Jan. 19, 1946; TA, 2.1.8-05, Folio #24, File #1.
39. Ibid.
40. "Notes of Meeting of Metropolitan Committee", Jan. 11, 1946; TA, 2.1.8-85, Folio #25, File #8.
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42. See: Chapter 4.2 for discussion of 1917 Planning and Development Act.

43. J. Manthorpe, The Power and the Tories: Ontario Politics -- 1943 to the Present, Toronto: Macmillan of Canada, 1974, p. 39.

44. "Notes of Meeting of Metropolitan Committee", ibid.

45. Ibid., p. 5.

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47. Ibid., p. 2.

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51. Ibid.

52. CRPA, Minutes, Jan. 19, 1946, ibid.

53. Ibid.

54. "Draft Prepared by the CRPA for Submission to the Minister of Planning and Development", Jan. 25, 1946; TA 2.1.8-05, Folio #25, File #6; and Statutes of Ontario, 1946, the Planning Act, Chap. 71.

55. CRPA, Minutes, Jan. 17, 1946, p. 3.

56. Ibid., pp. 3-4.

57. Letter from T.D. LeMay to D. Porter, Jan. 25, 1946; TA, 2.1.8-05, Folio #25, File #6.

58. CRPA, Minutes, Feb. 8, 1946, p. 4.

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60. D. Porter, "Assistance in Municipal Planning", MW, Oct., 1946, p. 300.

61. Ibid.

62. Debates, March 29, 1946, pp. 908-911.

63. Ibid., p. 90.

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65. Ibid., p. 955.

66. See: A. Rose, Regent Park: A Study in Slum Clearance, Toronto, U of T Press, 1958.

67. Statutes of Ontario, 1946, The Planning Act, Chapter 71, Sec. 16(1).

68. Ibid., Sec. 20.

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72. The Community Housing Authority Act, Sec. 6(a), Ont. Leg., Bill No. 138, 1946 (in PAO, R.G. 8, I-7-H, Original Bills).

73. Debates, p. 1415.

74. Journal of the Legislative Assembly of Ontario, April 2, 1946.

75. See: Chapter 7.

76. Debates, p. 959. Comment made by J.I. Meinzinger, Liberal-Labour MPP, Waterloo North.

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78. D.R. Richmond, The Economic Transformation of Ontario: 1945-1973, Toronto: Ontario Economic Council, Jan., 1974, p. 12.

Chapter 10

CONCLUSION

After reviewing the origins of urban land use planning in Ontario we can now draw a number of conclusions about the major factors which shaped the nature of the planning function of government in the province. In doing so, it is useful to compare Ontario's approach to planning and housing with that of the United States and Great Britain in order to identify and then account for differences in Ontario's approach. In addition, it is also possible to draw several conclusions about planning theory in general.

In the early decades of this century, the specific content of the planning function in Ontario differed from that in the United States and Great Britain, even though many of the planning concepts from these two countries permeated the Canadian planning movement. Many of the proposals and theories of the Canadian planning movement and planning profession were indeed similar to those in the US and Britain. The difference, however, is in what was actually implemented in each jurisdiction.

The approach adopted in Ontario, as in most of Canada, focused on improving the standards of new house construction and street layout in the suburbs through subdivision regulations -- the "suburban solution." This was in sharp

contrast to planning in the United States where the focus during the same period was on central area planning and major thoroughfares -- the "city beautiful" approach.

Ontario's approach was also different from that of Britain. With the adoption of the Housing of the Working Classes Act in 1890, Britain initiated a major public role in the construction and ownership of housing. This approach to the urban housing problem was never seriously considered in Canada. Rather than promote publicly owned apartment complexes, Canadian policy makers continually emphasized and supported privately owned detached housing. Even though British planning legislation attracted widespread attention in Canadian planning circles, it was never implemented by any province. Three of the less urbanized provinces, Alberta, New Brunswick and Nova Scotia, did adopt virtual copies of the British 1909 planning act, yet none of these provinces implemented it. They were adopted in response to vigorous lobbying efforts by the planning movement at the peak of the pre-WW I urban real estate boom. When the boom ended, the legislation was forgotten. Neither of Ontario's first two planning acts, the 1912 City and Suburbs Plans Act nor the 1917 Planning and Development Act, were based on British legislation. As with the American approach, therefore, the British approach to planning and housing did not serve as a model when it came down to actually implementing a land use planning function in

Ontario.

What then shaped the content of the specific planning approach adopted by Ontario? As this study indicates, the government continually reacted to only the most critical social, political and economic conditions prevailing at any given time. Advocacy of planning ideas and ideal planning legislation never resulted in government action unless there was some clearly identifiable problem at hand. If there was such a problem, very specific legislation was adopted to deal with it. The very first planning legislation, the 1912 City and Suburbs Plans Act, is a good example of this: there was a clear problem with the way suburban land was being developed during the real estate boom so the government responded by adopting legislation enabling the three largest cities to regulate the subdivision of land.

The planning movement proved to be completely unsuccessful when it lobbied for the more comprehensive planning act Thomas Adams prepared in 1915. There is no evidence that the government was firmly opposed to planning in principle. Rather, after the end of the real estate boom and during WW I, it did not see any need for the extensive system of land use planning measures being advocated by the planning movement. For this reason, the 1917 Planning and Development Act did nothing more than extend subdivision review authority to all municipalities in the province. The major lobbying effort by

the Ontario planning movement was equally ineffective in the 1920's. Their proposed planning act, as well as proposals for comprehensive zoning legislation, were ignored. Instead, very specific legislation aimed at one specific problem was again adopted -- protection of residential districts from non-conforming uses.

It is reasonable to conclude from the available evidence that the Ontario government never opposed planning measures solely because of ideological resistance to expanding the role of the state. There was clearly ideological resistance but this was forgotten in those cases where the need for state action could be clearly identified: subdivision regulation in the 1910's, residential protection in the 1920's and coordination of major municipal infrastructure after World War II. This also applied to housing programs. Unless there was a clear need and unless the private market mechanism could not cope, the government did not step in. In 1918 and again in the 1930's conditions were such that a positive role for the state in the housing sector was initiated. The reason these first programs were so limited was largely due to pragmatic rather than ideological concerns. The government lacked any previous experience with such programs. The non-interventionist bias meant that a very cautious, incremental approach would be taken. The government was in effect "hypothesis testing" when it enacted planning legislation or housing

programs. By implementing very specific and very limited planning and housing measures it was "testing" to see if indeed their definitions of the problem and its solution were correct. If they weren't, no great harm would be done by such a limited program. If they were correct, the situation would be improved at least to some degree and the government could choose to expand this approach. Opting for the comprehensive proposals put forward by the planning movement presented a host of unknowns. If the planning movement proved to be wrong it would be the government which would have to correct the situation and suffer politically from the mistake.

Except for the brief period during which the CCF was active, planning was not even debated on ideological grounds. Apart from the CCF, few members of the planning movement were left-wingers. Fewer still considered themselves socialists. Even when the CCF was active, physical planning was not high on its agenda. National economic planning, of which physical land use planning and public housing programs were a part, was their priority. Neither the planning professionals nor any significant element of the planning movement ever sought fundamental societal change or even any fundamental change in the system of private land development. In their view state authority was to be used to limit, not the free functioning of the land market, but only the excesses of those who take advantage of such a situation to the detriment of the general

public good, such as land speculators and builders of cheap and unsanitary housing. As Thomas Adams noted in his book, Rural Planning and Development, a little bit of planning would not only improve urban conditions but would forestall socialist proposals: "If we would only apply sound principles to the early stages of our individualist system of developing land, we would be less in need of applying socialist remedies of doubtful value in the latter stages." [1]

The fact that Ontario's approach to planning differed so much from that of the United States and Britain is due to the very different conditions under which cities in each of these jurisdictions developed. One of the major factors affecting the development of cities and, therefore, city planning and housing programs in Ontario, was that Canada industrialized and urbanized later than either Britain or the United States. This had, for example, an obvious impact on the quality and age of the housing stock in each jurisdiction. A huge housing stock already existed in Britain and in parts of the US before sanitation and construction techniques were improved. This prompted an earlier and much more aggressive role for the state in the housing sector in both these countries.

In addition, British and American cities, because they developed earlier, were burdened in the early twentieth century with many outmoded forms and patterns of development.

This prompted more of a focus on problems of already developed areas of cities, especially the central areas. The central districts were generally the oldest and they were the most important from the perspective of the cities' economic development. Old patterns of development usually based on earlier forms of industrialization, had to be adapted to new conditions and seriously run down and unsanitary districts had to be replaced. This was much easier to accomplish if a city was young and relatively small. Land use patterns were more flexible if a great deal of investment in special-use buildings and infrastructure had not taken place. In most British cities and in many American cities a tremendous amount of specialized investment had taken place making land use patterns more rigid and more difficult to adapt to changing conditions. In many cases large scale replacement and redevelopment were the only solutions. Where the dynamics of the land market were unable to carry out the necessary redevelopment, assistance from government was sought. The British government carried out a great deal of slum clearance and redevelopment activities from the mid-nineteenth century on. In the United States, the city beautiful movement was an attempt by central city commercial interests to obtain government assistance in reshaping central business districts to the needs and conditions of the early twentieth century.

Although Canadian cities also shared many of these

problems, they were not as serious or as difficult to deal with. Late industrialization and urbanization meant that land use patterns were much more flexible. Many Canadian cities were, in fact, developing for the first time. They faced problems of expansion, not problems of adaptation. In addition, Canadian cities had to cope with the unusual influx of immigrants during the early twentieth century. These conditions combined to result in the need to focus on problems of urban expansion, giving Canadian planning a different focus than that of Britain or the US.

All of this meant that in Canada the focus was not on urban problems but suburban problems -- problems arising from the very rapid expansion of Canadian cities. Problems of the central area of cities were less significant relative to conditions in Britain and the US. A focus on regulating new suburban development in Canada was an attempt to prevent past mistakes from being repeated. It was difficult and expensive to rebuild cities but very inexpensive to regulate the expansion of cities. As a result, provisions of the 1912 and 1917 Ontario planning acts affected urban expansion but had no practical impact on existing areas of cities. This also helps explain Ontario's 1918 and Canada's 1919 housing programs. Unlike Britain or the U.S., they subsidized the construction of privately owned detached housing, which usually meant suburban housing. Conditions were not bad enough for the

government to redevelop existing areas of cities or to begin building public housing projects, as was occurring in Britain and the US. It merely supplemented the private market until the house building industry recovered in the early 1920's.

While late urbanization and industrialization in Canada created these specific conditions affecting the nature of planning and housing policy, a second major factor contributing to the different approach taken in Ontario relative to the US and Britain was the nature of the provincial-municipal relationship. Under the British North America Act municipalities require enabling legislation from the province in order to undertake any activity. This had a substantial impact on the procedural aspects of Ontario planning legislation because it encouraged a centralized approach. Provincial control over municipalities carries with it responsibility to see that the authority granted is properly used. If municipalities got into financial or legal trouble it was the provincial government which had to bail them out. Whatever the party in power, whether Conservative, Liberal or United Farmer, they all maintained strict provincial review, if not direct regulation, of all important municipal functions.

When any enabling legislation was adopted for planning, zoning or housing, from the 1912 planning act to the 1946 planning act, the province reserved for itself complete power to review and sanction all municipal planning activi-

ties. In fact, in the 1912, 1917 and 1946 planning acts, the province, not the municipalities, reviewed plans of subdivision. Municipalities were allowed to offer their comments, but no provincial government chose to delegate blanket subdivision review to municipalities. The planning movement did not even advocate this. Rather, they supported the centralized approach because it would force a municipality to implement planning whether it wanted to or not. The planning movement sought mandatory planning enabling legislation, not the permissive legislation which was actually adopted.

This maintenance of centralized control over municipal planning can also explain the tremendous ambiguity in the planning and zoning legislation. This ambiguity is most likely deliberate; it provides authority for a function which appears to be necessary and yet leaves that authority so vague that it prevents extensive municipal use of the legislation. The planning movement was continually complaining about this ambiguity. Zoning legislation was a good example of this. Even before the word "location" was removed in 1926, municipalities were not sure exactly what type of comprehensive zoning bylaw they could adopt. It was clear they could enact certain specific land use restrictions, such as those protecting residential areas, but beyond that there was a vast grey area.

Another example was the provision in the 1917 Planning and Development Act which permitted municipalities to

prepare and adopt a general plan. The Act did not specify what this plan was to encompass nor did it give municipalities any new tools to implement such a plan. In principle, the provincial government probably agreed with the planning movement that municipal planning required a general municipal plan. This was only common sense. Yet in practice, such a plan would present tremendous unknowns: what should it include; how should it be implemented; what additional legislation would be required; how would such a plan affect private investment and locational decisions; and so on. The best resolution of this problem for the provincial government was to grant ambiguous authority and see how municipalities attempted to use it and what problems arose. By granting ambiguous planning authority, the province was able to simultaneously satisfy political demands that planning legislation be adopted and yet avoid any unnecessary risks attached to the granting of clear municipal powers.

With respect to planning theory in general, this study points to two significant conclusions. One relates to the factors influencing the nature, timing and content of planning as a government function, the other to the extent to which it is possible to generalize about the evolution of planning in different jurisdictions based on what occurred in one or more specific jurisdictions.

As this study of the evolution of Ontario's planning

indicates, the nature, timing and content of the planning legislation which was adopted had very little to do with the ability of planning professionals or other groups interested in planning to articulate reasonable and attractive solutions to urban problems. Simple advocacy of planning ideas and options was not enough. The planning movement and planning profession were never able, by themselves, to have their proposals implemented. Rather, planning was implemented only after definitions of a problem and a solution were found which commanded broad agreement among the relevant and most politically significant parties. Planning as a reform movement was only effective to the extent that it contributed to the process of generating a broadly acceptable definition of existing realities. This holds true for advocacies of planning professionals. It was groups and factors outside the planning movement and planning profession which were often more important in affecting the nature, timing and content of the government planning function. This accounts for the discrepancy which existed, and still exists, between what planners and advocates of planning recommend; what planning measures the government enacts into legislation; and what aspects of the enacted legislation are implemented.

Although it is possible to generalize about the limited significance of planning ideas and theories on the implementation of planning, it is much more difficult to

generalize about the composition of the groups and the nature of other factors which shaped planning in any particular jurisdiction. The specific nature of these influences can differ significantly between jurisdictions depending upon the macro social, political and economic dynamics prevailing at any given time and depending upon the nature of governmental institutions. We see this clearly in the very different development of the planning function in Canada, the US and Britain. Planning ideas and theories were often the same but the societal and institutional frameworks in which planning was adopted were often substantially different. This led to the implementation of very different approaches to planning. It was not possible to simply copy planning legislation from one jurisdiction and apply it in another. *

The need for careful historical study of the specific evolution of the planning function in different jurisdictions should now be clear. At the present time, a general theory about the evolution of the planning function of government is possible only at the level of very broad generalities, so broad that the theory would lose most of its usefulness. For example, only the broadest generalizations about the evolution of zoning in North America are possible. The nature, timing and content of the zoning function which was eventually adopted differs significantly between jurisdictions presenting many paradoxes a general theory cannot account for. Based on

the well-documented evolution of zoning in the United States, the evolution of zoning in Canada has usually been assumed to be similar. This, however, is not the case. When hundreds of American cities adopted zoning bylaws in the early 1920's, no Ontario municipality had a zoning bylaw until the late 1940's. Similarly, Ontario's zoning history cannot be assumed to be similar to that of the other Canadian provinces. Municipalities in Alberta, for example, began adopting zoning bylaws in the 1930's. By the time Ontario municipalities first began adopting zoning bylaws 56 Alberta municipalities had already done so. [2]

All of this points to the impact specific conjunctural factors played in the evolution of the planning, zoning and housing functions of government. This is not true of all government functions. Public health, for example, evolved in a fairly similar fashion in different jurisdictions because urban health problems in cities had little to do with the detailed social, political or economic conditions of a specific country. Ontario, for example, copied the British public health legislation and even the British administrative arrangements for implementing public health laws although the different governmental structures meant that the public health authority was divided in different ways between the levels of government in each country. Public health problems had the additional advantage of being measurable by clear scientific

methods which were, of course, independent of other social or political factors. Once the nature of the health problem and the solution were scientifically identified, implementation followed. The definition of neither the problem nor the solution was clear in the case of planning. Implementation under these circumstances is subject to all the peculiarities of each separate jurisdiction.

The final, perhaps most general conclusion which can be drawn from this study relates to the practical problem of planning implementation. As this study demonstrates, implementation of planning is not dependent upon planners developing ideal legislative or administrative proposals. These are indeed necessary. But equally necessary is a thorough understanding of the broader societal context within which planners and planning must operate. This context is continually in flux and is shaped as much by current realities as by the sum total of past trends and development patterns. Canadian planners in the early decades of this century were so unsuccessful because they failed to understand and take into account the processes of change which affected the specific context in which they operated. Planning ideas and concepts cannot remain static nor can they necessarily be borrowed from the experiences of one jurisdiction and applied in another. They must flow from an assessment of existing realities and they must change as the realities change. Understanding these

realities and identifying the constraints does not necessarily guarantee any better success at overcoming them. But by gaining an understanding of them we at least have a better chance of asking the right questions and addressing ourselves to the right problems. This is the significant contribution planning history and planning theory can make to improving planning practice, and in turn, the cities we live in.

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